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CONTENTS

	English Pages	Vernacular pages
PART I-Að Appointments, promotions, transfers and leave of absence sanctioned by the Governor, Government and the Ministers	636-658	
PART I-Bï Notifications, Communiques and General Orders by the Government and the Ministers	723-746	
PART II-Aï Appointments, promotions, transfers and leave of absence sanctioned by Heads of Departments	97-98	
PART II-Bï Notifications, Notices and Orders by Heads of Departments, Provincial Heads, Magistrates and other officers competent to issue public notices under any law or rule	367-378	
PART II-Cï Notifications, Notices and Orders by Election Commission of India, Chief Electoral Officer, Jammu and Kashmir and other Officers of the Department, Election Petitions and Judgements of Election Tribunal		
PART III- Laws, Regulations and Rules passed thereunder		
PART IVï Reprints from the Government of India Gazette or Gazettes of others Governments....		
PART Vï Information and Statistics .... (a) Rates and prices in the State.... (b) Rates and wages .... (c) Crop Report and Forecasts .... (d) Whether Observations .... (e) Vital Statistics		
SUPPLEMENT-Aï Trade Monthly Imports and Exports from the State		
SUPPLEMENT-Bï Police		
SUPPLEMENT-Cï Advertisements	135-148	

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PART I-A

Jammu & Kashmir Government–Orders

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HIGH COURT OF JAMMU AND KASHMIR AT JAMMU

(Exercising powers of Bar Council under Section 58 of the Advocates Act, 1961).

Notification

No. 515 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Deepika Sharma D/o Ram Saroop Sharma R/o Village, Gowal, Tehsil Bari Brahmana, Samba vide Notification No. 1220 dated 06-12-2017 has been declared as absolute/final.

By order.

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Notification

No. 516 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Ruqaya D/o Mohammad Sidiq Sofi R/o Ganderpora, Iddgah, Srinagar vide Notification No. 591 dated 07-08-2018 has been declared as absolute/final.

By order.

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Notification

No. 517 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Asifa Rashid Mir R/o Khanda Magreypora, Tehsil B. K. Pora, District Budgam vide Notification No. 790 dated 15-10-2018 has been declared as absolute/final.

By order.

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Notification

No. 518 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Imran Nazir S/o Nazir Hussain R/o Gokhrote, Koteranka, Rajouri vide Notification No. 1733 dated 30-03-2019 has been declared as absolute/final.

By order.

Notification

No. 519 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Zaffar Mehraj S/o Mehraj-ud-Din R/o Baghi Mehtab Pvt. Colony, Near Govt. Middle School, Srinagar vide Notification No. 185 dated 18-06-2019 has been declared as absolute/final.

By order.

Notification

No. 520 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Waseem Ramzan Lone S/o Mohammad Ramzan Lone R/o Garoora, Bandipora, Har Mohalla, Bandipora vide Notification No. 57 dated 14-06-2019 has been declared as absolute/final.

By order.

Notification

No. 521 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Amjid Rashid Laway S/o Ab. Rashid Laway R/o Village Mangam, Mohalla Malpora, Damhal, Hanjipora, Kulgam vide Notification No. 783 dated 12-02-2016 has been declared as absolute/final.

By order.

Notification

No. 522 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Danish Mirza Beg S/o Mirza Farid Ahmed Beg R/o Near Agriculture Office, Faridabad, Doda A/P 74, Didi Bagh, Hawal, Tibetian Colony, Srinagar vide Notification No. 783 dated 19-09-2019 has been declared as absolute/final.

By order.

Notification

No. 523 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Mehraj-ud-Din Ganie S/o Assad Ullah Ganie R/o Bulgam, Sopore, Hassi Mohalla, Panzipora, Baramulla vide Notification No. 850 dated 17-10-2018 has been declared as absolute/ final.

By order.

Notification

No. 524 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Noor Mohd Najar S/o Ghulam Mohd Najar R/o Jeelan Lane Naseem-a-Bad Sadrabal, Hazratbal, Srinagar vide Notification No. 1161 dated 06-11-2018 has been declared as absolute/ final.

By order.

Notification

No. 525 Dated 10-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Murfad Naseem S/o Ilham Naseem R/o House No. 24, Hamza Colony, Wanbal, Rawalpora, Srinagar vide Notification No. 1195 dated 17-11-2018 has been declared as absolute/ final.

By order.

Notification

No. 527 Dated 11-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Rayees Ahmad Shah S/o Mohd Amin Shah R/o Nai Basti, Tehsil Qaimoh, District Kulgam vide Notification No. 558 dated 07-08-2018 has been declared as absolute/final.

By order.

Notification

No. 528 Dated 11-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Sheran Mirza S/o Sabil Mirza R/o 12-A/D, 2nd Extension Gandhi Nagar, Jammu vide Notification No. 1645 dated 05-03-2018 has been declared as absolute/final.

By order.

Notification

No. 529 Dated 14-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Aarushi Sharma D/o Vikram Dutt R/o House No. 251, Sector-B, Sainak Colony, Jammu vide Notification No. 1624 dated 28-03-2019 has been declared as absolute/final.

By order.

Notification

No. 531 Dated 15-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Syed Mushtaq Ahmad S/o Syed Mohd Nayeem R/o E/2, Old B. C. Road, Government Qtrs. Jammu vide Notification No. 1316 dated 02-01-2019 has been declared as absolute/final.

By order.

Notification

No. 532 Dated 15-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Imran Ahmad S/o Mohd Shafi Dar R/o Near Shiv Mandir, Semno Colony, Bhagwan Mohalla, Kishtwar vide Notification No. 29 dated 16-05-2019 has been declared as absolute/ final.

By order.

Notification

No. 533 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Barjish D/o Firdous Ahmad Malik R/o Ahmda Kadal, Lal Bazar, Tehsil and District Srinagar vide Notification No. 541 dated 07-08-2018 has been declared as absolute/final.

By order.

Notification

No. 534 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Insha Altaf D/o Altaf Ahmad Moon R/o Madina Mohalla, Kansipora, Baramulla vide Notification No. 554 dated 07-08-2018 has been declared as absolute/final.

By order.

Notification

No. 535 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Swati Sharma D/o Chander Dutt R/o Near K. D. N. Palace, Battal Ballian Road, Kallar Himmat, Tehsil and District Udhampur vide Notification No. 1654 dated 05-03-2018 has been declared as absolute/final.

By order.

Notification

No. 536 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Palvi Sharma D/o Ravi Dutt Sharma R/o Sangrampur, V. P. O. Sangrampur, Tehsil and District Jammu vide Notification No. 1891 dated 15-03-2018 has been declared as absolute/ final.

By order.

Notification

No. 537 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Uzmah Maryam D/o Anayat Ullah Nazki R/o Muqame Shaheed Mir Botngoo, Sopore, District Baramulla vide Notification No. 1865 dated 15-03-2018 has been declared as absolute/ final.

By order.

Notification

No. 538 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Kamaljeet Kour D/o Manjeet Singh R/o H. No. 575, Nai Basti, Satwari, Jammu vide Notification No. 1390 dated 29-12-2017 has been declared as absolute/final.

By order.

Notification

No. 539 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Abid Rehman S/o Ab. Rehman Wani R/o Ghat Tokuna, Tengpora, Awantipora, District Pulwama vide Notification No. 1361 dated 29-12-2017 has been declared as absolute/final.

By order.

Notification

No. 540 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Hiteshwar Kesar S/o Kamal Krishan Kesar R/o H. No. 182, W. No. 8, Parliabund, District Kathua vide Notification No. 1566 dated 03-03-2018 has been declared as absolute/final.

By order.

Notification

No. 541 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Shafeeq Rasool Dar S/o Gulam Rasool Dar R/o Darpora, Matipora, Tehsil Mattan, District Anantnag vide Notification No. 1308 dated 11-12-2017 has been declared as absolute/final.

By order.

Notification

No. 542 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Gowher Yousuf Wani S/o Mohd Yousuf Wani R/o Manzgam, Baba Pora, Tehsil D. H. Pora, District Kulgam vide Notification No. 1753 dated 12-03-2018 has been declared as absolute/final.

By order.

Notification

No. 543 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Punia Gautam D/o Ashok Raj R/o Gautam Building Materials Railway Road, Jakhani, H. No. 124, Block No. 83, Udhampur vide Notification No. 1907 dated 16-03-2018 has been declared as absolute/final.

By order.

Notification

No. 544 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Tahira Bano D/o Gulam Muhammad Bhat R/o Ajar, W. No. 16, District Bandipora vide Notification No. 1341 dated 12-12-2017 has been declared as absolute/final.

By order.

Notification

No. 545 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Faeek Ul Farooq S/o Farooq Ahmad Wani R/o Wanabal Nowgam Bye-Pass, Shankerpora, Tehsil Chadoora, District Budgam vide Notification No. 1550 dated 03-03-2018 has been declared as absolute/final.

By order.

Notification

No. 546 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Hadayat Ullah Bhat S/o Rehmat Ullah Bhat R/o Chanderkote, Tehsil and District Ramban vide Notification No. 991 dated 03-01-2015 has been declared as absolute/final.

By order.

Notification

No. 547 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Suheel Qadir S/o Ghulam Qadir Bhat Marazi R/o Khawaja Sahib, Tehsil and District Baramulla vide Notification No. 608 dated 01-12-2015 has been declared as absolute/final.

By order.

Notification

No. 548 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Mubashir Ul Haq S/o Ali Mohd Shah R/o Hugam, Mohalla Rishwan, Sarigufwara, District Anantnag vide Notification No. 1898 dated 16-03-2018 has been declared as absolute/ final.

By order.

Notification

No. 549 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Mohit Singh Bhau S/o Gulbadan Singh Bhau R/o Old Go Block, Quarter No. 4, Gulshan Ground, Police Line, Jammu vide Notification No. 151 dated 07-04-2017 has been declared as absolute/final.

By order.

Notification

No. 550 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Rishu Verma D/o Raj Kumar Verma R/o H. No. 328, Upper Bazar, Chowk Chabutra, Jammu vide Notification No. 29 dated 10-04-2013 has been declared as absolute/final.

By order.

Notification

No. 551 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Shivani D/o Subash Chander R/o Ranjari, Tehsil and District Samba vide Notification No. 903 dated 13-02-2017 has been declared as absolute/final.

By order.

Notification

No. 552 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Kanika Choudhary D/o Attar Singh Choudhary R/o H. No. 16, W. No. 8, Vijaypur, District Samba vide Notification No. 1524 dated 02-03-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 553 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Suhail Ahmad Dar S/o Gh. Mohamad Dar R/o Supernaghama Dar Mohalla, Tehsil Kralgund, District Kupwara vide Notification No. 23 dated 05-04-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 554 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Minhaj-ul-Aabidin Wani S/o Mohd Amin Wani R/o Yamrach P/O Yaripora, Tehsil and District Kulgam vide Notification No. 563 dated 15-10-2014 for a period of one year has been extended

till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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Notification

No. 254 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Kousar Parveen D/o Mohd Ayoub Khan R/o Rahmeedabad, Village Treesa, Safarpora, Tehsil Lar, District Ganderbal vide Notification No. 1709 dated 09-03-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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Notification

No. 555 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Jaffer Ahmad Lone S/o Ab. Rashid Lone R/o Aloosa Kralpora, District Kupwara vide Notification No. 1388 dated 29-12-2017 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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Notification

No. 556 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Ajay Kumar Sharma S/o Ved Prakash Sharma R/o Bera Bhatta, Kishtwar vide Notification No. 444 dated 04-09-2013 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 557 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Nisar Ahmad Bhat S/o Abdul Samad Bhat R/o Bicherwara Bunpora, Handwara, Tehsil and District Kupwara vide Notification No. 898 dated 23-12-2014 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 558 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Neetu Kumari D/o Manohar Lal R/o 73/11, Anand Vihar, Bari Brahmana, Jammu vide Notification No. 1109 dated 19-03-2014 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of her Certificates/ LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 559 Dated 17-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Ankush Gupta S/o Ashok Gupta R/o H. No. 449/A, Bakshi Nagar, Jammu vide Notification No. 283 dated 23-05-2014 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 560 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Vishal Singh S/o Jagdish Raj R/o Village Gad (Saroor), B. P. O. Kukarwas, Kishtwar vide Notification No. 1584 dated 05-03-2018 has been declared as absolute/final.

By order.

Notification

No. 561 Dated 17-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Karan Bali S/o Rajinder Parsad Bali R/o Village Salotri, B. P. O. Jhulass, Tehsil Haveli, District Poonch vide Notification No. 368 dated 14-07-2014 has been declared as absolute/final.

By order.

Notification

No. 562 Dated 18-12-2020.

It is hereby notified that Mr. Rai Arvinder Singh, S/o Jai Singh R/o Chapnari, Banihal, Ramban A/P Kathyala, Behind Police Line, Udhampur, on having been appointed as Jr. Legal Assistant vide Govt. order No. 2551-LD (Estt.) of 2016 dated 23-09-2016, Department of Law, Justice and Parliamentary Affairs (Establishment Section) Civil Secretariat Srinagar/Jammu, has surrendered his Certificate of Enrollment, as an Advocate vide his application dated 07-12-2020. Therefore, his Certificate of Enrolment bearing No. JK-206/13 dated 16-05-2013 is kept in abeyance.

By order.

Notification

No. 563 Dated 18-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Mr. Sudesh Singh, S/o Dhani Ram R/o Village Halla, Dhandrath, Ramban A/P 69-A, Bhawani Nagar, Janipur, Jammu vide Notification No. 1211 dated 19-11-2018 has been declared as absolute/final.

By order.

Notification

No. 564 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Masroor Hassan S/o Gh. Hassan Dar R/o Surya Vihar, Wazir Bagh, Anand Nagar Bohri, Jammu vide Notification No. 311 dated 31-05-2014 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 565 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Atul Dogra S/o J.C. Dogra, R/o H.No. 8, Udheywalla (Paloura), Jammu vide Notification No. 809 dated 01-03-2013 for a period of one year has been extended till 31-12-2020 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 566 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Nusrat Shah D/o Shabbir Hussain Shah R/o Near Govt. Girls Middle School Nagrota, Udhampur vide Notification No. 298 dated 23-07-2013 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 567 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Arshed Ahmad Hajam S/o Gh. Hassan Hajan R/o Hajam Mohalla, Wadoora Payeen Sopore, Baramulla vide Notification No. 789 dated 15-10-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 568 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Shajahait Ahmed Jamil S/o Mohd Jamil R/o Dreari, Manjkote, Rajouri vide Notification No. 602 dated 08-08-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 569 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Tahir Nazir S/o Nazir Ahmad Mir R/o Janwara Sopore (Bla), Village Janwara, Tehsil Dangerpora, District Baramulla vide Notification No. 613 dated 08-08-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 570 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Mahmood Iqbal Khan S/o Mohd Iqbal Khan R/o Naka Najhari, Tehsil Mendhar, District Poonch vide Notification No. 576 dated 07-08-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 571 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Syed Mohammad Abbas S/o Syed Yousuf R/o Wahapora,

Nagpora, Budgam vide Notification No. 1199 dated 17-11-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 572 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Nikhil Verma S/o Manohar Lal Verma R/o H. No. 26, Ward No. 6, Opposite Higher Secondary School, Ban Ganga, Katra, District Reasi vide Notification No. 1198 dated 17-11-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 573 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Kirti Kumar Khajuria S/o Shiv Kumar Khajuria R/o Village Shallan P/O Dayala Chak, Tehsil Hira Nagar, District Kathua vide Notification No. 1860 dated 15-03-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

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Notification

No. 574 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Huma Bashir D/o Bashir Ahmad R/o H. No. 27, Nowpora, Chadoora, Budgam A/P Humhama Heights H. No. 41, L-4, Budgam vide Notification No. 1565 dated 03-03-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

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Notification

No. 575 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Shilpi Narayan D/o Suraj Narayan R/o Sector-6, Babliyana Road Gangyal, Jammu vide Notification No. 1872 dated 15-03-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

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Notification

No. 576 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Jodhvir Singh S/o Rattan Lal R/o 322/4, Ward No. 6, Near Firing Range, Raipur Satwari, Jammu vide Notification No. 1385 dated 29-12-2017 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 577 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Daanish Makhnotra S/o Subash Chander Makhnotra R/o Village Shahpur, Tehsil Bishnah, District Jammu vide Notification No. 1848 dated 15-03-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 578 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Harish Kumar S/o Jagga Ram R/o Raipur, Satwari, Jammu vide Notification No. 486 dated 10-07-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject

to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

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Notification

No. 579 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Sudershan Kumar S/o Romesh Chander R/o Kambal Danga, Sagalta, Tehsil and District Udhampur vide Notification No. 1754 dated 12-03-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

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Notification

No. 580 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Amit Kumar Behlam S/o Ram Paul R/o Magowali, Kotli Maffi, Tehsil Suchetgarh, District Jammu vide Notification No. 1369 dated 29-12-2017 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

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Notification

No. 581 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Ramansh Billawaria S/o Rakesh Billawaria R/o H. No. 20, Sector-14, Nanak Nagar, Jammu vide Notification No. 503 dated 10-07-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 582 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Irfan Saleem Shah S/o Mohd Saleem Shah R/o 8-Mohalla Mehman Partly, Lal Chowk, Anantnag vide Notification No. 560 dated 07-08-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

Notification

No. 583 Dated 19-12-2020.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Sheikh Jahangir Akbar S/o Sheikh Mohmad Akbar R/o

Wadoora Payeen, Posh Bagh, Sopore, Baramulla vide Notification No. 871 dated 17-10-2018 for a period of one year has been extended till 31-12-2021 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

By order.

(Sd.) MOHAMMAD YASIN BEIGH,

Registrar (Adm.).

सत्यमेव जयते

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 25th March, 2021/4th Chai., 1943. [No. 52

Separate paging is given to this part in order that it may be filed as a separate compilation

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATð REVENUE DEPARTMENT.

Notification No. 205-Rev (LAK) of 2020

Dated 22-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for public purposes viz. for construction of 2x4 MW Small Hydroelectric Project at Boniyar in Estate Maidanan situated at Village Banali and Trikanjan, Tehsil Boniyar, District Baramulla ;

Whereas, on the basis of an indent placed by Chief Engineer, Civil Investigation and Design Wing, PDC, Srinagar, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Uri, vide letter No. SDM/LA/Uri/19/1197-1204 dated 27-01-2010 read with Corrigendum No. CLAU/LA/SHP/02 dated 23-l2-2017, for land measuring 22 Kanals situated in Village Banali and Trikanjan, Tehsil Boniyar, District Baramulla, for construction of 2x4 MW Small Hydroelectric Project at Boniyar in Estate Maidanan ;

Whereas, the Collector, Land Acquisition (SDM), Uri, vide No. SDM/ Uri/18/15/LA dated 15-03-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Uri, vide letter referred to above duly endorsed by District Collector (DC), Baramulla vide letter No. DCB/LA/SHP/2019/02 dated 18-10-2019, Divisional Commissioner, Kashmir vide No. Div.Com/LAS-3329/6739 dated 02-11-2019 and by Financial Commissioner, Revenue vide No. FC-LS/LA/ 5160/2020 dated 16-03-2020 has been examined and it has been found that the land owners did not file any objecncn to the proposed acquisition.

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of 2x4 MW Small Hydroelectric Project at Boniyar in Estate Maidanan.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 22 Kanals situated in Village Banali and Trikanjan, Tehsil Boniyar, District Baramulla, for construction of 2x4 MW Small Hydroelectric Project at Boniyar in Estate Maidanan. Further, the Collector, Land Acquisition (SDM), Uri is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concernedshall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/ rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to the Government,
Revenue Department.

Annexure-A

Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
				K. M.
Baramulla	Boniyar	Banali	78	00-01
			77	00-01
			519	00-04
			522	06-06
			520	00-04
			524	01-03
			523	00-05
			513	02-17
			515	00-11
		Trikanjan	521	01-12
			514	01-11
			535	00-15
			867/516	04-08
			664/642/533	00-09
			696/668/533	01-00
			534	00-13
			Total	22-00

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATð REVENUE DEPARTMENT.

Notification No. 38-Rev (LAJ) of 2020

Dated 27-05-2020.

Whereas the land, specifications whereof are given in Annexure-"A" to this notification is required for widening of Rajouri-Kandi-Budhal Double Lane Road by GREF situated at Tralla Gujjrian, Tehsil Kotranka, District Rajouri ;

Whereas, on the basis of an indent placed by Officer Commanding, 110 RCC (GREF), a notification under section 4 (1) was issued by Collector, Land Acquisition, Defence, Rajouri-Poonch, Hq. Rajouri vide letter No. Coll/Def/2019-20/910-14 dated 16-10-2019 for land measuring 58 Kanals, 06 Marlas 06 Sarai situated in Village Tralla Gujjrian, Tehsil Kotranka, District Rajouri for widening of Rajouri-Kandi-Budhal Double Lane Road by GREF ;

Whereas, the District Collector, Land Acquisition (Defence), Rajouri vide letter No. Coll/Def/2019-20/976 dated 24-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/ interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by District Collector, Land Acquisition (Defence), Rajouri vide letter referred to above duly endorsed by Divisional Commissioner, Jammu vide No. 502/3872/Acq/GREF/Tralla Gujjrian/Rajouri/ 19/2607 dated 29-10-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5108/2020 dated 04-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for widening of Rajouri-Kandi- Budhal Double Lane Road by GREF situated at Village Tralla Gujjrian, Tehsil Kotranka, District Rajouri.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 58 Kanals, 06 Marlas 06 Sarai situated in Village Tralla Gujjrian, Tehsil Kotranka, District Rajouri for widening of Rajouri-Kandi-Budhal Double Lane Road by GREF. Further, the Collector, Land Acquisition (Defence), Rajouri is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concernedshall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested

persons/rightful claimants, in accordance with the relevant laws/ rules in force, while making the award

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to the Government,
Revenue Department.

Annexure-A

Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
				K. M. S.
Rajouri	Koteranka	Tralla Gujjrian	104	00-03-00
			180 min	02-02-00
			201	03-06-00
			234	03-04-00
			376	02-05-00
			530	01-04-00
			542	00-15-00
			178	02-05-00
			597	00-00-02
			184	00-09-00
			180 min	05-01-00
			180/1	09-16-00
			200	00-00-02

1	2	3	4	5
				K. M. S.
			528 min	21-12-02
			528/1	06-04-00
			G. Total	58-06-13

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATð REVENUE DEPARTMENT.

Notification No. 108-Rev (LAJ) of 2020

Dated 08-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for establishment/construction of Government Degree College, Hiranagar situated at Village Pheru Chack and Gurah Beldaran, Tehsil Hiranagar, District Kathua ;

Whereas, on the basis of an indent placed by Director, Colleges, Higher Education Department, J&K, a notification under section 4 (1) was issued by the Collector, Land Acquisition (SDM), Hiranagar vide letter No. SDM/H/ LHS/29-36 dated 18-08-2018 for land measuring 70 Kanals 04 Marlas situated at Village Pheru Chack and Gurah Beldaran, Tehsil Hiranagar, District Kathua for establishment/construction of Government Degree College, Hiranagar ;

Whereas, the Collector, Land Acquisition (SDM), Hiranaagar, vide letter No. SDM/LHS/243-45 dated 23-10- 2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but some land owners/interested persons filed objections received by Collectorate under section 5-A of the J&K State Land Acquisition Act, Samvat 1990 to the acquisition of land. The Collectorate, Land Acquisition (SDM), Hiranagar, has disposed off the objection vide letter dated 18-10-2019 ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Hiranagar, vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Kathua vide No. DCK/LA/2091-20/1705-09 dated 29-10-2019, Divisional Commissioner, Jammu vide No. 502/3957/ Degree College/Peruchack and Gurah Beldaran/Kathua/19/2802

dated 07-11-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5144/2020 dated 13-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for establishment/construction of Government Degree College, Hiranagar.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 70 Kanals 04 Marlas situated at Village Pheru Chack and Gurah Beldaran, Tehsil Hiranagar, District Kathua for estabtishment/construction of Government Degree College, Hiranagar. Further, the Collector, Land Acquisition (SDM), Hiranagar is directed under section 7 of the said Act to take orders for acquisition of the said land bed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to the Government,
Revenue Department.

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Annexure-A

Particulars of the land

District	Tehsil	Village	Kh. Nos.		Area
1	2	3	4		5
					K. M.
Kathua	Hiranagar	Pheru Chack	156		08-06
			158	min	01-13
			159	min	02-11

1	2	3	4	5
				K. M.
			160	04-04
			161	04-10
			162	01-13
			163	01-16
			164	00-03
			171	07-02
		Gurah Beldaran	765/129	01-00
			767/130	02-04
			819/132	15-00
			764/129	03-18
			131	04-05
			766/130	01-04
			818/132	10-15
			Total	70-04

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATð REVENUE DEPARTMENT.

Notification No. 94-Rev (LAJ) of 2020

Dated 05-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of Dalian to Dhamunda road under PMGSY, situated at Village Kholra, Tehsil Bhaderwah and District Doda ;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY (JKRPDA), Jammu, a notification under section 4 (1) was issued by the Collector, Land Acquisition (ADC), Bhaderwah vide letter No. ADC/LAC/ 18-19/658-65 dated 01-10-2019, for land measuring 06 Kanals, 01 Marla situated at Village Kholra, Tehsil Bhaderwah and District Doda for construction of Dalian to Dhamunda road under PMGSY ;

Whereas, the Collector, Land Acquisition (ADC), Bhaderwah vide letter No. LAC/ADC/19-20/935-36 dated 17-10 -2019, has reported that the

notification issued under section 4 (1) of the J&K State Land Acquisition Act, by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Bhaderwah vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda, vide No. 498/LAC/D/19 dated 21-10-2019 Divisional Commissioner, Jammu vide No. 502/3895/PMGSY/Kholra/ D/19/2922 dated 27-11-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA- 5157/2020 dated 16-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Dalian to Dhamunda road under PMGSY ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 06 Kanals, 01 Marla situated at Village Kholra, Tehsil Bhaderwah and District Doda for construction of Dalian to Dhamunda road under PMGSY. Further, the Collector Land Acquisition (ADC), Bhaderwah is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/ Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to the Government,
Revenue Department.

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Annexure-A

Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Doda	Bhaderwah	Kholra	130	00-02
			131	00-10
			131	00-02
			132	00-02
			132	01-18
			142	00-09
			143	00-01
			144	00-16
			145	01-01
			146	00-07
			147	00-13
			Total	06-01

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATð REVENUE DEPARTMENT.

Notification No. 95-Rev (LAJ) of 2020

Dated 05-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of Km 2nd Nagar-Lanchan to Kanser road under PMGSY situated in Village Kanser, Tehsil Bhaderwah, District Doda ;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY (JKRDDA), Jammu, a notification under section 4 (1) was issued by Collector, Land Acquisition (ADC), Bhaderwah vide letter No. ADC/LAC/18-19/ 776-82 dated 10-10-2019 for land measuring 31 Kanals, 15 Marlas, situated at Village Kanser, Tehsil Bhaderwah, District Doda for construction of Km 2nd Nagar-Lanchan to Kanser road under PMGSY ;

Whereas, the Collector, Land Acquisition (ADC), Bhaderwah vide letter No. LAC/ADC/19-20/933-34 dated 17-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/ interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Bhaderwah vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide No. 497/LAC/D/19 dated 21-10-2019 Divisional Commissioner, Jammu vide No. 502/3892/PMGSY/Kanser/ D/19/2905-06 dated 27-11-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5157/2020 dated 16-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Km 2nd Nagar-Lanchan to Kanser road under PMGSY.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 31 Kanals, 15 Marlas, situated at Village Kanser, Tehsil Bhaderwah, District Doda for construction of Km 2nd Nagar-Lanchan to Kanser road under PMGSY. Further, the Collector, Land Acquisition (ADC), Bhaderwah, is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to the Government,
Revenue Department.

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Annexure-A

Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
				K. M.
Doda	Bhaderwah	Kanser	155	00-15
			154	00-08
			152	02-09
			140	01-03
			123	00-16
			124 min	00-16
			124 min	00-15
			126	01-09
			95	01-18
			97/1	01-05
			91	01-03
			93	01-07
			90	00-01
			92 min	02-00
			01 min	00-03
			01 min	00-09
			02 min	00-07
			02 min	00-12
			02 min	00-03
			04/1	00-15
			04	00-07
			06/1	01-04
			06	01-10
			203/6	00-06
			48/1	00-18
			13	00-05
			14	00-10
			15	01-06

1	2	3	4	5
				K. M.
			16	00-10
			17	00-10
			20	00-11
			25 min	00-05
			22	00-04
			32	00-11
			23	00-03
			24	01-07
			35	00-07
			33	00-08
			34	00-08
			58	00-13
			59	00-12
			55	00-06
			Total	31-15

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATð REVENUE DEPARTMENT.

Notification No. 87-Rev (LAJ) of 2020

Dated 05-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of Manoo Haddal road under PMGSY, situated in Village Haddal, Tehsil Gandoh, District Doda ;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY (JKRDDA), Jammu, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Gandoh vide letter No. 520-26/LAC dated 09-10-2019 for land measuring 18 Kanals, 16 Marlas, situated at Village Haddal, Tehsil Gandoh, District Doda for construction of Manoo Haddal road under PMGSY ;

Whereas, the Collector, Land Acquisition (SDM), Gandoh vide letter No. 661-62/LAC dated 25-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Gandoh vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide No. 531/LAC/D/19 dated 28-10-2019 Divisional Commissioner, Jammu vide No. 502/3934/PMGSY/Haddal/19/3094 dated 21-12-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5184/2020 dated 19-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Manoo Haddal road under PMGSY.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 18 Kanals, 16 Marlas, situated at Village Haddal, Tehsil Gandoh, District Doda for construction of Manoo Haddal road under PMGSY. Further, the Collector, Land Acquisition (SDM), Gandoh is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of Land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to the Government,

Revenue Department.

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Annexure-A

Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Doda	Gandoh	Haddal	59 min	00-10
			61 min	00-03
			60 min	01-05
			55 min	00-08
			19 min	00-04
			20 min	00-16
			16 min	02-02
			10 min	02-17
			06 min	03-02
			07 min	01-09
			05 min	00-15
			7/122 min	01-00
			04 min	03-03
			01 min	01-02
			Total	18-16

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATð REVENUE DEPARTMENT.

Notification No. 64-Rev (LAJ) of 2020

Dated 27-05-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for widening of Bye Pass road Surankote-Bufliaz by GREF situated at Village Draba, Tehsil Surankote, District Poonch ;

Whereas, on the basis of an indent placed by Officer Comanding, 79 RCC (GREF), a notification under section 4 (1) was issued by Collector, Land Acquisition, Defence, Rajouri-Poonch, Hq. Rajouri vide letter No. Coll/ Def/2019-20/760-64 dated 30-09-2019 for land measuring 59 Kanals 19 Marlas in Village Draba, Tehsil Surankote, District Poonch for widening of Bye Pass road Surankote-Bufliaz by GREF ;

Whereas, the District Collector, Land Acquisition (DC), Poonch 961/ Coll/def/2019-20 dated 21-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by District Collector, Land Acquisition (DC), Poonch vide letter referred to above duly endorsed by Divisional Commissioner, Jammu vide No. 502/3877/Acq/GREF/Draba/Surankote/ Poonch/19/2668 dated 30-10-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5133/2020 dated 05-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for widening of Bye Pass road Surankote-Bufliaz by GREF situated at Village Draba, Tehsil Surankote, District Poonch.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 59 Kanals 19 Marlas in Village Draba, Tehsil Surankote, District Poonch is required for public purposes viz. for widening of Bye Pass road Surankote-Bufiiaz by GREF. Further, the Collector, Land Acquisition Defence, Rajouri-Poonch, Hq. Rajouri is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector, concerned shall be personally responsible for identification and proper title verification of all types of land involved in the

case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government,
Revenue Department.

Annexure-A

Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
				K. M. S.
Poonch	Surankote	Draba	288	01-04-00
			102	04-07-00
			100	02-17-00
			98	00-10-00
			98 Min	00-04-00
			98 Min	00-11-00
			31	00-08-00
			31	00-03-00
			47	00-01-00
			47	00-01-00
			45	00-02-00
			96	00-05-00
			441	00-02-00
			443	00-05-00
			441 Min	00-03-00
			441 Min	00-01-00

1	2	3	4		5
					K. M. S.
Poonch	Surankote	Draba	441	Min	00-03-00
			441	Min	00-02-00
			442	Min	00-02-00
			464		00-01-00
			464		00-01-00
			464		00-03-00
			464		00-02-00
			462		00-09-00
			464		00-00-02
			464		00-06-00
			464		00-02-00
			465		00-02-00
			480		00-03-00
			480		00-01-00
			484		00-12-00
			503		00-07-00
			97		00-18-00
			97		00-11-00
			95		00-15-00
			95		00-16-00
			92		00-03-00
			90		00-04-00
			90	Min	00-02-00
			90	Min	00-00-05
			90	Min	00-03-00

1	2	3	4	5
				K. M. S.
Poonch	Surankote	Draba	503	00-01-00
			503	00-01-00
			503	00-03-00
			503/1	00-05-00
			502	00-04-00
			502 Min	00-02-00
			502	00-03-00
			501	00-01-00
			500	00-05-00
			497	00-03-00
			497	00-01-00
			486	00-05-00
			485	00-03-00
			486	00-03-00
			486	00-02-00
			487	00-02-00
			488	01-12-00
			492	00-16-00
			491	00-10-00
			489	00-06-00
			948	00-03-00
			946 Min	00-02-00
			946 Min	00-06-00
			938	00-12-00
			914	00-00-05
			923	00-04-00
			924	00-03-00

1	2	3	4	5
				K. M. S.
Poonch	Surankote	Draba	919	00-03-00
			918	00-02-00
			573	00-04-00
			915	00-06-00
			924	00-05-00
			927	00-04-00
			927 Min	00-04-00
			927 Min	00-04-00
			925 Min	00-01-00
			608	00-02-00
			609	00-02-00
			608	00-02-00
			812	00-04-00
			811 Min	00-04-00
			610	00-04-00
			611 Min	00-01-00
			611	00-01-00
			810	00-03-00
			804	01-06-06
			611	00-11-00
			810	00-03-00
			804	01-06-06
			807	00-13-00
			762	02-03-00
			760	00-13-00
			758	01-07-00
			626	00-04-00
			634	00-08-00
			757	02-16-00
			670	01-05-00
			671 Min	00-07-00

1	2	3	4	5
				K. M. S.
Poonch	Surankote	Draba	668	00-12-00
			667	00-03-00
			287	03-13-00
			101	00-08-00
			107	00-08-00
			98 Min	00-04-00
			98 Min	00-07-00
			98 Min	00-02-00
			31	00-03-00
			47	00-08-00
			47	00-02-00
			47	00-00-04
			96	00-02-00
			503/1	00-07-00
			442	00-01-00
			441 Min	00-03-00
			441 Min	00-04-00
			441 Min	00-02-00
			441 Min	00-04-00
			441 Min	00-04-00
			442 Min	00-02-00
			464	00-01-00
			464	00-01-00
			464	00-03-00
			464	00-05-00
			464	00-04-00
			1137	00-06-00
			464	00-03-00
			464	00-01-00
			478	00-01-00
			480	00-01-00
			480	00-17-00

1	2	3	4	5
				K. M. S.
Poonch	Surankote	Draba	481	00-03-00
			503/1	00-02-00
			96	00-02-00
			38	00-05-00
			95	00-05-00
			92	00-03-00
			92	00-04-00
			90 Min	00-02-00
			90 Min	00-02-00
			90 Min	00-02-00
			481	00-07-00
			503	00-01-00
			503	00-03-00
			503	00-03-00
			502	00-03-00
			502 Min	00-02-00
			502 Min	00-02-00
			506	00-01-00
			500	00-01-00
			500/1	00-04-00
			497	00-03-00
			497	00-05-00
			90	00-13-00
			486	00-05-00
			486	00-01-00
			486	00-05-00
			487	00-19-00
			496	00-18-00
			492	00-04-00
			939	00-02-00
			490	00-17-00
			946	00-05-00

1	2	3	4		5
					K. M. S.
Poonch	Surankote	Draba	946	Min	00-02-00
			940		00-06-00
			937		00-09-00
			941		00-14-00
			922		00-06-00
			920		00-01-03
			920		00-01-00
			917		00-01-03
			916		00-03-00
			816		00-06-00
			926		00-01-00
			927		00-01-00
			927	Min	00-04-00
			927	Min	00-04-00
			608		00-07-00
			608		00-03-00
			608		00-02-00
			750		00-02-00
			811		00-09-00
			610		00-02-00
			611	Min	00-01-00
			611		00-01-00
			611		00-01-00
			810		00-02-00
			611		00-01-00
			611		00-11-00
			810	Min	00-03-00
			462		00-04-00

1	2	3	4	5
				K. M. S.
Poonch	Surankote	Draba	806	00-06-00
			760/1	00-12-00
			759	00-07-00
			625	00-12-00
			633	00-03-00
			635	00-13-00
			666	00-07-00
			670 Min	00-16-00
			671 Min	00-09-00
			667	00-00-04
			G. Total	59-19-00

सत्यमेव जयते

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 25th March, 2021/4th Chai., 1943. [No. 52

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

In pursuance to Government Order No. 193-JK (GAD) of 2021 dated 26-02-2021 we the undersigned handover and takeover the charge of the post of Director, Information and Public Relations, J&K Government, today the 1st March, 2021 (F. N.).

(Sd.) DR. SYED SEHRISH ASGAR, IAS.

Relieved Officer.

(Sd.) RAHUL PANDEY, IAS.

Relieving Officer.

Certified that we have in the afternoon of this day respectively made over and received charge of the Office of Chief Medical Officer, Health and Family Welfare, Doda along with cash balance lying in Account No. CD-509 of Jammu and Kashmir Bank, Branch Ex-Doda as on 31-11-2020 A. N. of Rs. 95/- (Rupees Ninty-five) only last entry made in the cash book as well as drawal register.

The closing balance as on 30-11-2020 A. N. as per cash book and a per bank statement is Rs. 95/- (Rupees Ninety-five) only.

Memo of the balance for which responsibility is accepted by the Officer Receiving Charge.

Permanent Advance : Rs. 95/- (Rupees Ninety-five) only.

Station : Doda.

Dated : 01-12-2020.

(Sd.) .....

Chief Medical Officer,
Health and Family Welfare, Doda.

Relieved Officer.

(Sd.) .....

Chief Medical Officer,
Health and Family Welfare, Doda.

Relieving Officer.

सत्यमेव जयते

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 25th March, 2021/4th Chai., 1943. [No.52

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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OFFICE OF THE TEHSILDAR, AWANTIPORA.

The Addl. Deputy Commissioner,
Awantipora.

Subject :ð Constitution of committee for conducting of Social Impact Assessment made under section 1 of rule 4 of the ñThe Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, 2013 for acquisition of land measuring 11 Kanals and 07 Marlas which come under the Re-alignment of AIIMS Approach Road at AIIMS, Awantipora and submission of report thereof.

Reference :ð Your office letter No. ADC/Awp/LA/20-21/272-80 dated 07-01-2021.

ð ð ð

Sir,

Kindly refer to the above cited subject wherein the committee constituted by the Deputy Commissioner, Pulwama vide his vide No. DCP/LA/2020/610-30 dated 25-08-2020 has been tasked with the conduct of Social Impact Assessment and report. The constituted committee members viz. :ð

1. Deputy Director, Health, Kashmir.
2. Tehsildar, Awantipora.
3. Assistant Executive Engineer, R&B Sub-Division, Pampore.
4. Assistant Executive Engineer, PHE, Awantipora.
5. Assistant Executive Engineer, Flood Control, Awantipora.
6. Range Officer Forest, Awantipora.
7. Agriculture Extension Officer, Noorpora.

Carried out Social Impact Assessment of the land measuring 11 Kanlas 07 Marlas falling under Khasra No. 2603 min and 2604 min at Estate Awantipora Tehsil Awantipora and the observations areï

1. That the proposed acquisition of land serves a public purpose as the said land is required for re-alignment of approach road leading to AIIMS, Awantipora which shall make the connectivity towards the already acquired land.
2. With the acquisition of the proposed land required width of road shall be met as per the plan.
3. No residential house/structure is coming within the proposed acquisition as such no question of rehabilitation of any dislocated person/family.
4. Keeping in view the road design as per the alignment available, the land is most feasible and no other alternate location shall provide similar benefits.
5. That no other already acquired/state land is getting unutilized.

6. That the land acquired for re-alignment of AIIMS approach road at AIIMS, Awantipora will surely benefit the public for making access to the already available land therefore forms public purpose.

It is therefore, strongly recommended that the said land measuring 11 Kanals 07 Marlas identified as per the indent placed be acquired for re-alignment of AIIMS Approach road at AIIMS, Awantipora.

(Sd.) .....

Tehsildar,
Awantipora.

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Notice

I, Jaya Koul W/o Late Sh. Tej Nath Koul R/o H. No. 89, Lakshmi Puram, Chinore, Jammu. My husband obtained shares of UTI bearing Regd. Certificate No. 31965765 dated 01-08-1992 and 31965764 dated 01-08-1992 my Husband name is wrongly written as Tej Nath Kaul but the actual and correct name is Tej Nath Koul as per Death Certificate issued by Municipal Corporation, Jammu. Now I am applying for correction. Objection, if any, may be conveyed to concerned Authority within seven days from the publication of this Notice.

ð ð ð ï

Notice

I, Jaya Koul W/o Late Sh. Tej Nath Koul R/o H. No. 89, Lakshmi Puram, Chinore, Jammu. My husband obtained shares of UTI bearing Regd. Certificate No. 31965765 dated 01-08-1992 and 31965764 dated 01-08-1992 my name is wrongly written as Jai Kaul but the actual and correct name is Jaya Koul as per Aadhar Card. Now I am applying for correction. Objection, if any, may be conveyed to concerned Authority within seven days from the publication of this Notice.

It is certified that I have complied with other legal requirements in this connection.

Jaya Koul W/o Late Sh. Tej Nath Koul
R/o H. No. 89, Lakshmi Puram, Chinore, Jammu.

Notice

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices will remain solely, responsible for the legal consequences and also for any other misrepresentation etc.

By Order.
General Manager,
Ranbir Govt. Press, Jammu.

ð ð ð ï

OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER, AWANTIPORA

(COLLECTOR, LAND ACQUISITION, AWANTIPORA).

Preliminary Notification under section 11(1)

Notification No. 01 of 2021

Dated 15-01-2021.

Subject :ï Preliminary Notification under Section 11(1) of ñRight to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013ò for acquisition of additional buildable land measuring 34 Acres (272 Kanals) falling under survey No. 2603 min at Estate, Awantipora for establishment of AIIMS, Awantipora.

Reference :ð District Collector, Pulwama communication vide No.DCP/ LA/2020/1353ï 54 dated 14-01-2021.

ð ð ð ï

Whereas, it appears to the Collector that a total area of 34 Acres (272 Kanals) of land is required in Village Awantipora, Tehsil Awantipora, District Pulwama for public purpose, namely additional buildable land required for the construction of AIIMS, Awantipora, Social Impact Assessment Study was carried out by SIA Unit and a report submitted/preliminary investigation was conducted by a team

constituted by District Collector as laid down under rule 4. The summary of the Social Impact Assessment Report/preliminary investigation is as follows (Copy enclosed) :ð

1. That the proposed acquisition of land serves a public purpose as the said AIIMS, Awantipora shall benefit the collective population of Kashmir Division.
2. With the acquisition of the proposed additional land it shall be suitable enough for accommodating AIIMS Hospital and its other allied facilities.
3. No residential house/structure is coming within the proposed acquisition as such no question of rehabilitation of any dislocated person/family.
4. Keeping in view its contiguity with the already acquired land this is most feasible as no other alternate location shall suffice the purpose.
5. That no other already acquired/state land is getting unutilized.
6. That the additional land acquired for established of AIIMS, Awantipora will surely benefit the huge population of the area.

The said team strongly recommended that the additional land in question measuring 34 Acres (272 Kanals) identified as per the Indent placed be acquired for establishment of AIIMS, Awantipora.

No commercial/residential/agricultural structure is coming under the alignment as such no family is likely to be displaced due to land acquisition.

Therefore, it is notified that for the above said project in the Village Awantipora, Tehsil Awantipora, District Pulwama, a piece of land measuring 34 Acres (272 Kanals) of standard measurement, whose detail description is as following, is under acquisition.

S. No.	Survey No.	Type of Title	Type of Land	Area under Acquisition (in Acres)	Name and address of a person Interested	Boundaries			
						N	S	E	W
ð ð 01	ð ð ð ð 2603 min	ð ð ð ð ð Shamilat Section-5	ð ð ð ð ð ð Maidani and Bunjri Qadeem	ð ð ð ð ð ð 34 Acres (272 Kanals)	ð ð ð ð ð ð As per spot position and prorata basis	ð ð ð ð	ð ð ð ð	ð ð ð ð	ð ð ð ð

Trees		Structures	
Variety	Number	Type	Plinth area
Almond/non-fruit bearing trees etc.	As Per the assessment done by the field staff	Nil	Nil

The notification is made under the provisions of section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30/2013), to all whom it may concern.

A plan of the land may be inspected in the office of Collector, Land Acquisition/Additional Deputy Commissioner, Awantipora on any working day during the working hours.

The Government is pleased to authorize Tehsildar/Revenue staff, Indenting Department, their consultant and their staff to enter upon and survey land, take levels of any land, dig or bore into the sub-soil and do all other acts required for the proper execution of their work as provided and specified in section 12 of the said Act.

Under section 11(4) of the Act, no person shall make any transaction or cause any transaction of land i. e. sale/purchase, etc. or create any encumbrances on such land from the date of publication of such notification without prior approval of the Collector.

Objections to the acquisition, if any, may be filed by the person interested within 60 (Sixty days) from the date of publication of this notification as provided under section 15 of the Act before Collector, Land Acquisition, Awantipora.

(Sd.) ZAFFAR HUSSAIN SHAWL, KAS,

Additional Deputy Commissioner,
Collector, Land Acquisition,
Awantipora.

ð ð ð

OFFICE OF THE TEHSILDAR, AWANTIPORA.

The Add. Deputy Commissioner,
Awantipora.

Subject :ð Constitution of committee for conducting of Social Impact Assessment made under section 1 of rule 4 of the ñThe Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, 2013, for acquisition of land measuring 11 Kanals and 07 Marlas which come under the re-alignment of AIIMS Approach Road at AIIMS, Awantipora and submission of report thereof.

Reference :ð Your office letter No. ADC/Awp/LA/20-21/272-80 dated 07-01-2021.

ð ð ð

Sir,

Kindly refer to the above cited subject where in the committee constituted by the Deputy Commissioner, Pulwama vide his office No. DCP/LA/2020/610-30 dated 25-08-2020 has been tasked with the conduct of Social Impact Assessment and report the constituted committee members viz. :ð

1. Deputy Director, Health, Kashmir.
2. Tehsildar, Awantipora
3. Assistant Executive Engineer, R&B Sub-Division, Pampore.
4. Assistant Executive Engineer, PHE, Awantipora.
5. Assistant Executive Engineer, Flood Control, Awantipora.
6. Range Officer Forest, Awantipora.
7. Agriculture Extension Officer, Noorpora.

Carried out Social Impact Assessment of the land measuring 34 Acres (272 Kanals) falling Khasra No. 2603 min and the observations areð

1. That the proposed acquisition of land serves a public purpose as the said AIIMS, Awantipora shall benefit the collective population of Kashmir Division.
2. With the acquisition of the proposed additional land it shall be suitable enough for accommodating AIIMS Hospital and its other allied facilities.

3. No Residential house/structure is coming within the proposal acquisition as such no question of rehabilitation of any dislocated person/family.
4. Keeping in view its continguity with the already acquired land this is most leassible as no other alternate location shall suffice the purpose.
5. That no other already acquired/state land getting unutilized.
6. That the additional land acquired for established of AIIMS Awantipora will surely benefit the huge population of the area.

It is therefore, strongly recommended that the said additional land measuring 34 Acres identified as per the Indent placed be acquired for establishment of AIIMS Awantipora.

(Sd.) .....

Tehsildar,
Awantipora.

ð ð ð

OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER, AWANTIPORA
(COLLECTOR, LAND ACQUISITION, AWANTIPORA).

Preliminary Notification under section 11(1)

Notification No. 01 of 2021.

Dated 15-01-2021

Subject :ï Preliminary Notification under Section 11(1) of ñRight to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013ò for acquisition of additional buildable land measuring 34 Acres (272 Kanals) falling under survey No. 2603 min at Estate, Awantipora for establishment of AIIMS, Awantipora.

Reference :ð District Collector, Pulwama communication vide No. DCP/ LA/2020/1353ï 54 dated 14-01-2021.

ð ð ð ï

Whereas, it appears to the Collector that a total area of 34 Acres (272 Kanals) of land is required in Village Awantipora, Tehsil

Awantipora, District Pulwama for public purpose, namely additional buildable land required for the construction of AIIMS, Awantipora, Social Impact Assessment Study was carried out by SIA Unit and a report submitted/preliminary investigation was conducted by a team constituted by District Collector as laid down under rule 4. The summary of the Social Impact Assessment Report/preliminary investigation is as follows (Copy enclosed) :ð

1. That the proposed acquisition of land serves a public purpose as the said AIIMS, Awantipora shall benefit the collective population of Kashmir Division.

2. With the acquisition of the proposed additional land it shall be suitable enough for accommodating AIIMS Hospital and its other allied facilities.

3. No residential house/structure is coming within the proposed acquisition as such no question of rehabilitation of any dislocated person/family .

4. Keeping in view its contiguity with the already acquired land this is most feasible as no other alternate location shall suffice the purpose.

5. That no other already acquired/state land is getting unutilized.

6. That no othe already acquired/state land is getting unutilized.

The said team strongly recommended that the additional land in question measuring 34 Acres (272 Kanals) identified as per the Indent placed be acquired for establishment of AIIMS, Awantipora.

No commercial/residential/agricultural structure is coming under the alignment as such no family is likely to be displaced due to land acquisition.

Therefore, it is notified that for the above said project in the Village Awantipora, Tehsil Awantipora, District Pulwama, a piece of land

measuring 34 Acres (272 Kanals) of standard measurement, whose detail description is as following, is under acquisition :ð

S. No.	Survey No.	Type of Title	Type of Land	Area under Acquisition (in Acres)	Name and address of a person Interested	Boundaries			
						N	S	E	W
ð ð 01	ð ð ð ð 2603 min	ð ð ð ð Shamilat Section-5	ð ð ð ð ð ð Maidani and Bunjri Qadeem	ð ð ð ð ð ð 34 Acres (272 Kanals)	ð ð ð ð ð ð As per spot position and prorata basis	ð ð	ð ð	ð ð	ð ð

Trees		Structures	
ð ð ð ð ð ð ð ð ð ð ð ð ð ð		ð ð	
Variety	Number	Type	Plinth area
Almond/non-fruit bearing trees etc.	As Per the assessment done by the field staff	Nil	Nil

The notification is made under the provisions of section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30/2013), to all whom it may concern.

A plan of the land may be inspected in the office of Collector, Land Acquisition/Additional Deputy Commissioner, Awantipora on any working day during the working hours.

The Government is placed to authorize Tehsildar/Revenue staff, Indenting Department, their consultant and their staff to enter upon and survey land, take levels of any land, dig or bore into the sub-soil and do all other acts required for the proper execution of their work as provided and specified in section 12 of the said Act.

Under section 11(4) of the Act, no person shall make any transaction or cause any transaction of land i. e. sale/purchase, etc.

or create any encumbrances on such land from the date of publication of such notification without prior approval of the Collector.

Objections to the acquisition, if any, may be filled by the person interested within 60 (Sixty days) from the date of publication of this notification as provided under section 15 of the Act before Collector, Land Acquisition, Awantipora.

(Sd.) ZAFFAR HUSSAIN SHAWL, KAS,

Additional Deputy Commissioner,
Collector, Land Acquisition,
Awantipora.

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Notice

I, Sarbjeet Kaur W/o S. Gagandeep Singh R/o 202ï A, Shastri Nagar, Jammu declare that my name on my daughterôs Admit Card of 10th Class namely Harshitt Kaur is written as Sarabjeet Kaur instead of my correct name Sarbjeet Kaur. Objection, if any, may be conveyed to concerned authority within seven days of publication of this notice.

It is certified that I have complied with other legal requirements in this connection.

Sarbjeet Kaur W/o S. Gagandeep Singh
R/o 202ï A, Shastri Nagar, Jammu.

Notice

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices will remain solely, responsible for the legal consequences and also for any other misrepresentation etc.

By Order. General Manager,
Ranbir Govt. Press, Jammu.

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Notice

My name has been wrongly written in J&K Bank (Savings A/c No. 28047), J&K Bank Financial Services Ltd. (ID 10265747) and in Nirmal Bang Securities Pvt. Ltd. (Code : JKR 370) as Ajay Gupta in LIC (Policy No. 140646358) as Ajay Mahajan. Driving License No. 28705 as Ajay Kumar Gupta instead of Ajay Kumar.

Now I am applying for corrections. Objection if any, may be conveyed to concerned authorities within seven days.

It is certified that I have complied with other legal requirements in this connection.

Ajay Kumar
S/o Jaswant Pal
R/o H. No. 47, Shastri Nagar,
Jammu.

Notice

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices will remain solely, responsible for the legal consequences and also for any other misrepresentation etc.

By Order.
General Manager,
Ranbir Govt. Press, Jammu.

सत्यमेव जयते

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 25th March, 2021/4th Chai., 1943. [No. 52

Separate paging is given to this part in order that it may be filed as a separate compilation.

ADVERTISEMENTS—C

JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION,
RESHAM GHAR COLONY, BAKSHI NAGAR,
JAMMU

Subject : J&K Combined Competitive (Preliminary) Examination-2021.

Reference : (i) No. GAD(Ser)PSC/07/2018 dated 24-12-2020

(ii) No. (Ser) PSC/07/2018 dated 18-01-2021
.....form General Administration Department, UT of J&K.

Notification No. 02-PSC (DR-P) of 2021

Dated 26-02-2021.

Applications through online mode are invited from applicants who are domiciled in the Union Territory of Jammu and Kashmir for appearing in the J&K Combined Competitive (Preliminary) Examination, 2021 in accordance with the rules laid down vide SRO-103 of 2018 dated 23-02-2018 read with SO-21 of 2021 dated 18-01-2021 and SO-61 of 2021 dated 23-02-2021 issued by General Administratian Department, Gavernment of UT of Jammu and Kashmir, and up-to-date

J&K Public Service Commission (Conduct of Examination) Rules, 2005. The details of syllabus and scheme of examination is given in SRO-103 of 2018 available on the website of the Commission i. e. http://www/jkpsc.nic.in.

IMPORTANT

> The Application Form together with instructions for filling up the Application Forms will be available at the website of the Commission from 11-03-2021.

> Candidates are advised to go through the instructions and all the eligibility conditions prescribed for the post before filing the online Application Form.

> Last date for filing of online application complete in all respects along with the requisite fee (online mode only) is 12-04-2021.

> The last date for receipt of online applications provided in the notification shall be the cut-off date for determining the eligibility as regards acquisition of Domicile Certificates and educational and professional qualifications.

> The minimum and maximum age will however be reckoned with reference to 1st January, 2021.

> Candidates can edit some of the fields in their online application form from 14-04-2021 (12.00 A. M.) to 16-04-2021 (11.59 P. M.) (3 days). Instructions in this regard will be made available on the website.

> Candidates are not required to submit a hard copy or any other documents to the Commission.

> Candidates are advised in their own interest to submit online applications much before the closing date and not to wait till the last date to avoid the possibility of disconnection/inability to pay fee or failure to login to the online application portal on account of heavy load on the website during the closing days.

> The tentative date of Preliminary Examination (in two sessions) is 11-07-2021 (SUNDAY).

> The tentative date for commencement of the Main Examination : 04-10-2021.

1. **Name of Post/Service and Scale of Pay** :ð

Post/Service	Pay Scale
(i) Junior Scale of J&K Administrative Service	Rs. 9300-34800 with Grade Pay of Rs. 4800 [now revised to (47600-Rs. 151100)]
(ii) J&K Police (G) Service	
(iii) J&K Accounts (G) Service	

2. **Number of vacancies and the category-wise breakup thereof is given as under** :ð

Sr. No.	Service	OM	RBA	SC	ST	ALC/LB	EWS	PSP	SLC	Total
1.	Junior Scale of J&K Administrative Service	28	06	05	06	02	05	02	02	56
2.	J&K Police (G) Service	35	07	06	07	03	07	03	03	71
3.	J&K Accounts (G) Service	31	06	05	06	02	06	02	02	60
	Total	94	19	16	19	07	18	07	07	187

3. **Tentative Schedule of Examination** :

Date of Preliminary Examination (in two sessions) =11-07-2021

Date of commencement of Main Examination = 04-10-2021

4. **Conditions of Eligibility** :

The conditions of eligibility and age limit etc. of a candidate shall be determined with reference to the Notification SRO-103 dated 23-02-2018 read with SO-21 dated 18-01-2021 and shall further be subject to the fulfilment of the following parameters :ð

(a) must be a domicile of UT of J&K; and

(b) must hold a Bachelorôs Degree in any subject from a recognized University in India or from a Foreign University declared by Government in consultation with the Commission to be equivalent to a degree of a recognized University.

Further, the candidate(s) who have appeared in the Bachelors Degree examination in 2021, shall have to provide a proof to the effect that he/she had appeared fully in the required examination on or before the last date for filing/submission of Application Form for Preliminary Examination viz. up to 12-04-2021 and had qualified the said Examination at the time of filing up the online Application Form for the Main Examination, failing which, such candidates shall not be admitted to the Main Examination.

Candidates who have passed the final professional M.B.B.S or any other Medical Examination but have not completed their internship by the time of submission of their applications for the Combined Competitive (Main) Examination, will be provisionally admitted to the Examination provided they submit, along with their application a copy of certificate from the concerned authority of the University/Institution that they had passed the requisite final professional medical examination. In such cases, the candidates will be required to produce at the time of their interview original degree or a certificate from the concerned competent authority of the University/Institution that they had completed all requirements (including completion of internship) for the award of the degree.

5. **Age as on 1st January, 2021** :

The requirement of age for candidates belonging to (i) Open Merit candidates, (ii) Reserved Category candidates and Inservice candidates, (iii) Physically Challenged Candidates as indicated in the below mentioned table is a one time relaxation not extendable in any subsequent Combined Completive Examination post CCE-2021 :ð

S. No.	Category	Age limit	Not born after	Not born before
1.	OM	37	01-01-2000	01-01-1984
2.	Reserved Category candidates and inservice candidates	39	01-01-2000	01-01-1982
3.	Physically Challenged Candidates*	40	01-01-2000	01-01-1981

* Provided further that inservice candidate who has completed two yearsô service on 01-01-2021 in substantive capacity, to be certified by his Head of Department shall alone be eligible to claim the benefit of upper age limit :

Provided also that the candidate(s) already holding a civil post in the Union Territory of J&K shall submit the hard copy of the downloaded online application(s) through their respective

Heads of Office to the Commission and in case the Commission receives intimation for withholding permission from the employer, in respect of a candidate who has applied for or is appearing in the Combined Competitive Examination his/her application shall be rejected and candidature also cancelled. Such a candidate may, however, be allowed to appear in the examination as a fresh candidate subject to the condition that the said candidate is otherwise eligible under rules.

Note :ð Two years of service for the above purpose will be determined as on 01.01.2021 as 1st January, is relevant for purpose of determining of age in the services.

6. **Reservation** :

(i) A candidate seeking his/her consideration under Reserved Categories must ensure that he/she possesses a valid requisite Category Certificate on the last date prescribed for submission of online application for Preliminary Examination viz. 12-04-2021.

(ii) The candidature of the candidates shall be provisional till the genuineness of the reserved category certificate is verified by the Appointing Authority.

(iii) Candidates may note that in case a claim for reservation is made on the basis of false/fake/fraudulent certificate, he/she shall be debarred from the examination(s) conducted by the J&K Public Service Commission, in addition to any other penal action as may be deemed appropriate.

7. **Horizontal Reservation** :

Horizontal reservation under physically challenged persons category shall be notified separately.

8. **Domicile** :

The candidate should be a Domicile of the Union Territory of Jammu and Kashmir. The candidate must possess the Domicile Certificate issued by the Competent Authority in the prescribed format as on the last date prescribed for submission of online application form for Preliminary Examination viz. 12-04-2021.

9. **Centre of Examination (Preliminary)** :

1. The Preliminary Examination will be held at Srinagar, Anantnag, Baramulla, Jammu, Doda and Rajouri for which a candidate(s) shall exercise an option.

2. The Commission may however, at its discretion allot a different centre to a candidate and once a centre is allotted to a candidate, request for a change of centre will not be entertained.

3. Information about the examination indicating the time table and Centre of Examination for the candidates will be uploaded on the websites of the Commission about two weeks before the date of examination. If any candidate does not find his/her Roll Number on the website of the Commission, one week before the date of examination, he/she must immediately contact the Commissionôs Office at Srinagar/Jammu, with proof of having submitted his/her application. Failure to do so will deprive him/her of any claim for consideration.

4. Candidate must submit his/her online application form, Email ID and Mobile Number along with his/her Name, Date of Birth and Name of the Examination, while addressing any communication to the Commission. Communication from the candidates not furnishing these particulars shall not be entertained.

5. Admit Cards will be available for downloading about two weeks before the date of examination on the official website of the Commission i. e. jkpsc.nic.in. Candidate must bring printout of the Admit Card/Roll Number Slip to the Examination Hall.

6. For securing entry into the Centre of Examination, in addition to the Admit Card/Roll Number Slip, it is mandatory to carry at least two passport size recent color photographs (taken not earlier than 01-01-2021) and any one of the original valid Photo-ld proof mentioned below :ð

   i. Aadhar Card/E-Aadhar ;

   ii. Voterôs ID Card ;

   iii. Driving License ;

   iv. PAN Card ;

   v. Passport ;

   vi. School/College/University I-Card ;

   vii. Employer ID Card.

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10. **Requisite Fee** :

After successful submission of the online application form, candidate will be required to deposit requisite fee through online mode. The amount of fee to be paid is given below :ð

General Category	=	Rs. 1000.00
Reserved Categories	=	Rs. 500.00
PHC Candidates	=	Nil

Note :—

i. The Application Form submitted without deposition of the fee, which gets substantiated through reflection of the same on the application form, such application form shall be treated as incomplete and candidature shall be deemed to have been rejected without any notice. No representation against such rejection shall be entertained.

ii. Submission of multiple applications by way of prefixing Mr/Ms. or through generation of multiple User 10ôs or any other mode, followed by either non-payment of fee particulars or fee particulars (TID) of one application (RID) being mentioned against another application with a different RID would lead to rejection of the online application. The applicants who are submitting multiple applications should note that only the applications with higher Registration ID (RID) number shall be entertained by the Commission and fee paid against one RID shall not be adjusted against any other RID number. Besides a strict disciplinary action shall be taken including the cancellation of candidature and debarment for future examinations of J&K PSC will be taken against such applicants.

11. **Scheme of Selection/Examination** :

The Scheme of Selection/Examination shall comprise the following successive stages :ð

i. Combined Competitive (Preliminary) Examination (Objective Type) for the selection of candidates for Main Examination ;

ii. Combined Competitive (Main) Examination (Written and Interview) for the selection of candidates for the various services and posts ; and

iii. Personality Test (Interview).

12. **Preliminary Examination** :

i. The Preliminary Examination will consist of two papers viz. General Studies-I and General Studies-II of Objective Type (MCQ) and carry a maximum of 200 marks each. The marks obtained in the Preliminary Examination shall count only for shortlisting of the candidates for the Main Examination.

ii. There will be negative marking for incorrect answers (as detailed below) for all questions :

(a) There are four alternatives for the answers to every question. For each question for which a wrong answer has been given by the candidate, one third (0.33) of the marks assigned to that question will be deducted as penalty.

(b) If a candidate gives more than one answer, it will be treated as a wrong answer even if one of the given answer happen to be correct and there will be same penalty as above for that question.

(c) If a question is left blank i. e. no answer is given by the candidate, there will be no penalty for that question.

iii. Candidates who obtain such minimum qualifying marks in the General Studies-I of Combined Competitive (Preliminary) Examination as may be fixed by the Commission at their discretion and a minimum of 33% marks in General Studies Paper-II of Combined Competitive (Preliminary) Examination shall be admitted to the Combined Competitive (Main) Examination, subject to the condition that the number of candidates to be admitted to the Main Examination shall be, as far as practicable, 1/3rd of the total number of candidates who appeared in the Preliminary Examination or twenty five times the total number of vacancies to be filled in the various services and posts, whichever is lower.

iv. A separate notification will be issued inviting applications from candidates declared qualified for taking the Combined Competitive (Main) Examination.

Note :ð It is mandatory for the candidate to appear in both the Papers of Combined Competitive (Preliminary) Examination for the purpose of evaluation. Therefore,

a candidate will be disqualified in case he/she does not appear in both the papers of Combined Competitive (Preliminary) Examination.

13. **Mains Examination** :

(1) The Main Examination shall consist of written examination and a Personality Test (Interview). The written examination will consist of eight (8) papers of conventional essay type in the papers set out in part (B) of Appendix-I as per the detailed syllabus in Appendix-II (part B) of SRO-103 out of which one (01) paper will be of qualifying nature.

Provided the Government, in consultation with the Commission, may revise or update the syllabi for the Combined Competitive Examination from time to time.

(2) Candidates who obtain such minimum qualifying marks in the written part of the Main Examination as may be fixed by the Commission at their discretion, in any or all the papers (Paper I to Paper VII) shall be summoned by them for an interview for a Personality Test, vide part ócô of Appendix-I of SRO-103.

(3) A candidate who fails to secure such minimum number of marks as are fixed by the Commission in their discretion in one or more than one paper, shall, however, not be eligible to be called for Personality Test (interview).

(4) The number of candidates to be summoned for the Personality Test (interview) will not be more than thrice the number of vacancies to be filled. The Personality Test (interview) will carry 250 marks (with no minimum qualifying marks). Failure to appear in the interview shall render a candidate ineligible for being recommended for appointment notwithstanding the marks obtained by him in the written examination.

(5) The candidates shall be short-listed for interview on the basis of overall merit obtained by them in the Main Examination irrespective of the category(ies) to which he/she/they belong :

Provided that if the number of candidates belonging to any reserved category, who qualify for the interview on the basis of the above shortlisting criteria, falls short of up to three times the number of vacancies reserved for such a category, the Commission shall call the candidates belonging to such category over and above the number shortlisted for interview.

Note :ð The Scheme and Syllabus for the Preliminary/Main Examination is available on the official website of the Commission i. e. www.jkpsc.nic.in.

14. **Number of Attempts** :

Every candidate appearing in the examination, who is otherwise eligible, shall be permitted six attempts at the examination :

Provided that this restriction on the number of attempts will not apply in the case of Scheduled Castes and Scheduled Tribes candidates who are otherwise eligible :

Provided further that the number of attempts permissible to candidates belonging to RBA, Social Castes and ALC, who are otherwise eligible, shall be nine. The relaxation will be available to the candidates who are eligible to avail of reservation applicable to such candidates :

Provided also that a physically challenged candidate will get as many attempts as are available to other non-physically challenged candidates of his or her community, subject to the condition that a physically challenged candidate belonging the General Category shall be eligible for nine attempts. The relaxation will be available to the physically challenged candidates who are eligible to avail of reservation applicable to such candidates.

Note :—

i. An attempt at a Preliminary Examination shall be deemed to be an attempt at the Combined Competitive Examination ;

ii. If a candidate actually appears in anyone paper in the Preliminary Examination, he/she shall be deemed to have made an attempt at the Examination ;

iii. Notwithstanding the disqualification/cancellation of candidature, the fact of appearance of the candidate at the examination will count as an attempt.

15. **Physical Standards** :

The candidates in respect of J&K Police (Gazetted) Service should possess the following physical standards :ð

a. For Males :		b. For Females :	
Height	165 cm	Height	150 cm
Chest girth (min)/Expansion)	84 cm/5 cm	Chest girth (min/Expansion)	79 cm/5 cm

16 **Provision of Compensatory Tfme and Assistance of Scribe** :

On request of a visually impaired (Blind) or any other candidate who is handicapped to the extent that he/she is not able to write, the candidate shall be provided assistance of an amanuensis (scribe) on production of a Disability Certificate issued by the Medical Board constituted by the Government consisting of CMO of the District and atleast two Medical Specialists nominated by the concerned Director, Health Services (with atleast one specialist from the field concerned department). After verifying the genuineness of the certificate/satisfying itself, the Commission may provide services of scribe to the candidate on the day of examination. The scribe should have one qualification down than the requirement for the post applied for by the candidate(s) and further should be from an academic stream different from that stipulated for the post. The scribe shall be paid remuneration charges equivalent to the Invigilator :

Provided the concerned Supervisor shall ensure that the scribe provided to the candidate shall not extend any type of help to the candidate in solving the questions. Blind candidates will be allowed an extra time of 10 minutes per hour.

17. **The necessary instructions regarding filling up of online applications are given hereinbelow** :

(a) Candidates are required to apply online through the website of the Commission i. e http://www.jkpsc.nic.in. No other means/mode of application shall be accepted.

(b) Candidates are first required to go to the JKPSC website www.jkpsc.nic.in and click on the link ñOne Time Registrationò or click on Login menu if you have already created your profile with the JKPSC.

(c) After logging into your account, candidates are required to fill all the requisite fields of One Time Registration (OTR) i. e. personal information, contact information and educational qualification, service details etc.

(d) The candidate shall also be required to upload the image of date stamped recent passport size color photograph and signature. The photograph should not be taken earlier than 01-01-2021.

(e) Size of the photograph (passport size) and signature must be between 10KB to 20kB in *.jpeg or *.jpg only.

(f) After successful submission of all the details in your OTR account, check the eligibility conditions as mentioned in the advertisement notification before applying for the post.

(g) Click on the ñshow examinationò as shown against the respective post/examination you want to apply.

(h) On Clicking on the ñshow examinationò a window will appear on your computer screen. Select the month of the advertisement notification for which you want to apply, a link(s) for the post(s) will appear on the computer screen.

(i) An ñAPPLYò button is shown against the respective post and the candidates will click on the APPLY button against the post he/she is eligible.

(j) On clicking ñAPPLYò button, an instruction window will appear. Candidates should read instructions carefully before clicking on ñAPPLYò button at the bottom of the webpage.

(k) On clicking ñAPPLYò button, the system will display all facts/ particulars that a candidate may have mentioned while filling up the necessary fields of his/her OTR account. Candidate shall fill up the remaining required fields in the application form and accept the declaration thereof.

(l) Once the candidate is satisfied about the correctness of the filled in details, then, he or she may click on ñSUBMITò button to finally push the data into server with successful submission report.

(m) On successful submission of the basic details, the candidates will be required to pay the online fee and uploading of the documents, for final submission of the online application form.

(n) Candidates can pay the requisite fee through online mode in the ñSUBMITTED APPLICATIONSò menu in your account.

(o) After successful payment of the fee, the fee status will get reflected on the Online Application Form. Candidates can check the fee status by clicking on the Print Application Button in the submitted applications menu in your JKPSC account. In case the payment status shows either ñnot submitted or under processing or status has not been reflected on your submitted application formò, candidates(s) are advised to contact the JKPSC office at Solina, Srinagar/Resham Ghar Colony, Jammu immediately for clarification. Further where the online fee is paid through other service providers the

candidate must ensure that not only the amount of fee is debited from his/service providerôs Account but also credited into the official account of JKPSC.

(p) The candidate would be able to get the printout of his/her submitted application only after the payment of the requisite fee and uploading of requisite documents viz. Date of Birth Certificate, Degree Certificate, Category Certificate and Domicile Certificate.

(q) The JKPSC will not undertake detailed scrutiny of applications for the eligibility and other aspects at the time of Preliminary Examination and therefore, candidature will be accepted only provisionally. The candidates are advised to go through the requirements of educational qualification, age, etc. and satisfy themselves that they are eligible for the post(s). Copies of supporting documents will be sought at the time of document verification. When scrutiny is under taken, if any claim if made in the application is not found/ substantiated by proof, the candidature will be cancelled and the Commissionôs decision shall be final and binding.

(r) Please note that the above procedure is the only valid procedure for applying. No other mode of application or incomplete steps would be accepted and such applications would be rejected.

18. **Editing of the online application form** :

Candidates who have successfully submitted the online application form along with requisite fee will be allowed to edit some of the fields in their submitted online application form within three days after the cut-of-date i. e. on 14th April, 2021 (12.00 A. M.) up to 16th April, 2021 (11.59 P. M.). Detailed instruction in this regard will be made available on the website.

19. **Action against candidates found guilty of misconduct** :

Candidates are advised that they should not furnish any particulars that are false or suppress any material information. A candidate who is, or has been, declared by the Commission, to be guilty ofð

i. obtaining by wrongful support of his/her candidature by any means ; or

ii. impersonating ; or

iii. procuring impersonation by any person ; or

iv. submitting fabricated documents or documents which have been tampered with ; or

v. making statements which are incorrect, or false or suppressing material information ; or

vi. resorting to any other irregular or improper means in connection with his/her candidature for the selection ; or

vii. using unfair means during the test ; or

viii. writing irrelevant matter including obscene language or pornographic matter, in the script(s) ; or

ix. misbehaving in any other manner in the examination hall ; or

x. harassing or doing bodily harm to the staff employed by the Commission for the conduct of their test ; or

xi. attempting to commit or, as the case may be, abetting the Commission of all or any of the acts specified in the foregoing clauses may, in addition to rendering himself/ herself liable to criminal prosecution shall be liableð

(a) to be disqualified by the Commission from selection for which he/she is a candidate ; and/or

(b) to be debarred either permanently or for a specified period :ð

(i) By the Commission from any examination or selection held by them ;

(ii) By the Union Territory Government from any employment under them ; and

(c) if he/she is already in service under Government, disciplinary action can be taken against him/her under the appropriate rules.

(SD.) MUSHTAQ AHMAD, KAS,

Additional Secretary,
J&K Public Service Commission.

EXTRAORDINARY REGD. NO. JKï 33

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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Vol. 133] Jammu, Tue., the 7th April, 2020/18th Chai., 1942. [No. 1-c

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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PART I–B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð HOME DEPARTMENT

Notification

Jammu, the 7th of April, 2020.

SO-120.ð Whereas, on 27-08-2019 two persons near Govt. Hospital, Delina came to be intercepted but they opened fire on police party. The police party retaliated ; and

2. Whereas, the two suspects after firing tried to flee from he spot, but failed, and they were apprehended near Karawah, Delina. The accused were identified as Mohammad Iqbal Naikoo S/o Abdul Ahad Naikoo R/o Suhail Colony, Old Town, Baramulla and Adil Nazir Dar S/o Nazir Ahmad Dar R/o Ganie Hamam, Old Town, Baramulla ; and

3 Whereas, arms and ammunition was recovered from the possession of accused Mohammad Iqbal Naikoo and Adil Nazir Dar comprising one AK-47 rifle along with Magazine, 10 Rds. of AK-47 rifle, one Chinese Pistol, one Pistol Magazine and 10 Pistol Rds. ; and

4. Whereas, a case FIR No. 147/2019 under sections 307-RPC, 7/27 I. A. Act, 10, 13, 16, 20 of Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Baramulla and investigation was taken up ; and

5. Whereas, during investigation site plan and seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances of the case also, recorded under sections 161 and 164-A Cr. P. C. ; and

6. Whereas, during further investigation it surfaced that the AK 47 rifle bearing registration No. Kl0013/470 along with magazine and rounds recovered from the accused was the same which had been snatched by the militants from one of the injured Police Personnel during the encounter taken place at Ganie Hamam, Old Town, Baramulla on 21-08-2019 ; and

7. Whereas, during the course of investigation, Police concerned inspected the encounter site and recovered eight empty cartridges of AK-47 rifle and two empty cartridges of pistol and sent to CFSL, Chandigarh for ballistic examination. The opinion received revealed that the empty cartridges had been fired from the same weapons, which had been recovered from the above accused persons ; and

8. Whereas, during the course of investigation, mobile phone (I-Phone) recovered from the possession of accused Mohammad Iqbal Naikoo was sent to FSL, Srinagar for examination of call data. The data retrieved from the calls of the accused corroborated that accused had been in contact with other militants of the area especially with militants of Jaish-e-Mohammad outfit ; and

9. Whereas, during investigation, the accused disclosed that arms and ammunitions had been provided to them by a militant namely Shakeel Ahmad Ganaie for subversive activities in the area who too was arrested in connection with the case, and he revealed that he was in touch with a militant namely Abu Talha Haider of JeM operating from PoK through social media ; and

10. Whereas, on the basis of statements of witnesses, the seizure memo and other evidence, the Investigating Officer has established a

prima facie case against the below mentioned accused for commission of offences as indicated against each :ð

S. No.	Name of the accused	Offence under sections
1.	Mohammad Iqbal Naikoo S/o Abdul Ahad Naikoo R/o Suhail Colony, Old Town, Baramulla	
2.	Adil Nzair Dar S/o Nazir Ahmad Dar R/o Ganie Hamam, Old Town, Baramulla	10, 13, 16, 20 ULA (P) Act
3.	Shakeel Ahmad Ganie S/o Gh. Mohammad Ganie R/o Bachi Trikanjan, Boniyar, Baramulla	

11. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary file and all other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the accused persons ; and

12. Whereas, after perusing the Case Diary file, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above named persons under sections 10, 13, 16, 20 ULA(P) Act of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 147/2019 of Police Station, Baramulla.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Government,
Home Department.

EXTRAORDINARY REGD. NO. JKï 33

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THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

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Vol. 133] Jammu, Tue., the 7th April, 2020/18th Chai., 1942. [No. 1-d

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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PART I–B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð HOME DEPARTMENT

Notification

Jammu, the 7th of April, 2020.

SO-121.ð Whereas, on 28-09-2019, Police Station, Kishtwar received information that some persons namely (1) Nissar Ahmed S/o Bashir Ahmed Rather R/o Hunjala, Kishtwar, (2) Asif Nazir S/o Nazir Ahmed Butt R/o Berwar, (3) Imtiyaz Ahmed S/o Abdul Gani Butt R/o Berwar, (4) Mohammad Jaffer S/o Ghulam Mohammad Sheikh R/o Natas Dool, (5) Kousar Hussain S/o Mohammad Akbar Bagwan R/o Hunjala, and (6) Liyaqat Ali S/o Aziz Mohammad Bagwan R/o Hullar were associated with banned organization of Hizbul Mujahideen (HM) and were providing logistic support to the militants ; and

2. Whereas, the case FIR No. 230/2019 under sections l3/18/19/38/39 Unlawful Activities (Prevention) Act was registered at P/S, Kishtwar and investigation of case was set in motion ; and

3. Whereas, during the course of investigation, it came to the fore that accused were providing logistic support to the militants and were arranging meetings of an active militant namely Mohammad Amin @ Jahangir Saroori S/o Mohammad Anwar R/o Saroor, Kishtwar for carrying out militant activities in the area by plotting conspiracies ; and

4. Whereas, during the personal search, mobile phone Nokia along with SIM bearing No. 9797040462 were seized from accused namely Kouser Hussain and mobile X93 Grand along with SIM bearing No. 9906589019 was seized from accused Mohammad Jaffer ; and

5. Whereas, during further course of investigation, the accused were arrested, site plan, seizure memo were prepared and the statements of witnesses were recorded under sections 161 and 164-A Cr. P. C. ; and

6. Whereas, during further investigation, the involvement of one more accused Jaffer Hussain S/o Mohammad Ashraf Butt R/o Hunjala, Kishtwar was established and accordingly accused was arrested on 08-10-2019, arrest form was filled and his finger prints were taken ; and

7. Whereas, the accused militant Osama Bin Javid S/o Javid Ahmad Wani R/o Sounder, Dachan was killed in an encounter on 28-09-2019 at Batote, District Ramban and Militant Haroon Abass S/o Ghulam Abass R/o Gath, Doda was also killed in an encounter on 15-01-2020 at Tentna, Gundna, Doda ; and

8. Whereas, on the basis of evidence collected, statement of witnesses recorded and other material placed on record, the investigation has established the involvement of below mentioned accused for the commission of offences as shown against each :ð

S. No.	Name of accused persons	Under Sections
1	2	3
1	Mohammad Jaffer	13/18/19/39
2	Liyaqat Ali	
3	Kousar Hussain	

1	2	3
4	Nissar Ahmed	13/18/19/39
5	Imtiyaz Ahmed	
6	Asif Nazir	
7	Jaffer Hussain Butt	13/18/19/39

9. Whereas, the Authority appointed by the Government under sub- section (2) of section 45 of Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all other relevant documents relating to the case and has come to the conclusion that *prima facie* case against the accused has been made out ; and

10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above-mentioned accused for prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above-mentioned accused for the commission of offences as shown against each as above in case FIR No. 230/2019 of Police Station, Kishtwar.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Government,
Home Department.

EXTRAORDINARY REGD. NO. JKï 33

सत्यमेव जयते

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I–B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð HOME DEPARTMENT

Notification

Jammu, the 15th of April, 2020.

S. O.-125.ð Whereas, Police Station, Handwara received a specific information on 26-10-2019 to the effect that general public was threatened through circulation of hand written posters of LeT outfit pasted on the shutters of the shops and other establishments ; and

2. Whereas, the Police Station, Handwara on that specific information received in the police station removed/recovered various posters from the different locations in the area falling under the jurisdiction of P/S, Handwara ; and

3. Whereas, a high alert was sounded in the area and Nakkas were placed to check the incoming and outgoing vehicles on the routes, leading to Handwara town and during the course of Nakka checking, on motorcycle rider was stopped at the Nakka point. The motorcycle rider was apprehended, however, a lady pillion rider tried to flee from the spot but she was apprehended by the Police ; and

4. Whereas, case FIR No. 281/2019 u/s 153/A, 506/RPC and 13 UAP Act was registered at P/S, Handwara and investigation was taker up ; and

5. Whereas, incriminating material and posters of LeT outfit signed by the commander of the outfit named as Abu Hyder were seized from the possession of the accused lady, besides, photograph of the deceased terrorist Furkan Rasheed S/o Ab. Rasheed R/o Langate, Handwara was recovered from her possession ; and

6. Whereas during further investigation it came to the fore that accused namely Haseena Begum W/o Mohammad Yousuf Bhat R/o Sheeri, Baramulla was associated with DeM (Dukhtran-e-Millat) a banned organisation and she was also working for LeT outfit as OGW ; and

7. Whereas, during the course of investigation two Aadhar cards bearing Nos. 819550112150 and 602912356194 in the name of Rizwan Uallah Rather S/o Abdul Rasheed Rather R/o Odura Selu and Towheed Ashraf S/o Mohammad Ashraf Bhat R/o Selu, Sopore were recovered from the possession of lady pillion rider namely Haseena Begum W/o Mohammad Yousuf Bhat R/o Sheeri, Baramulla ;

8. Whereas, statement of witnesses u/s 161-1 64-A/Cr. P. C. were recorded and seizer memo was prepared and placed on the CD file as collective evidence on the record ; and

9. Whereas, investigation of the case has *prima facie* established involvement of the accused in commission of offence u/s 20, 38, 39 ULA (P) Act based on statement of prosecution witnesses and other material evidence on record ; and

10. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of Unlawful Activities (Prevention) Act, 1967 has independently examined the Case Diary File and all other relevant documents relating to the case and has come to the conclusion that *prima facie* case against the accused has been made out ; and

11. Whereas, after perusing the Case Diary file, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above-mentioned accused for prosecution under the provisions of law.

12. Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 the Government hereby accords sanction for launching prosecution against the above-mentioned accused namely Haseena Begum W/o Mohammad Yousuf Bhat R/o Sheeri, Baramulla for the commission of offence under section 20, 38, 39 of ULA (P) Act, 1967 in the case FIR No. 281/2019 of Police Station, Handwara.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Government,
Home Department.

EXTRAORDINARY REGD. NO. JKï 33

सत्यमेव जयते

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PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð SCHOOL EDUCATION DEPARTMENT

Notification

Jammu, the 18th of April, 2020.

S. O.-126.ð In exercise of the powers conferred by section 29 of the Jammu and Kashmir School Education Act, 2002, the Government hereby makes the following amendments in the Jammu & Kashmir School Education Rules, 2010 ; namely :ð

After Rule 8, the following rule shall be added as Rule 8A :ð

8A. **Duties of the Head of Schools about school bag weight**.ð It shall be the duty of the Heads of the Schools to ensure thatð

(i) No homework is assigned to students of classes up to 2nd Standard ;

(ii) No formal books are prescribed at Pre-primary (Nursery, LKG, UKG) levels. However, student of these classes may be provided maximum two notebooks/work books to be kept in the teachers custody in the school itself ;

(iii) Students of Pre-primary level are not asked to carry any bag except light carrier for Lunch box ;

(iv) No Schools should prescribe any other subjects exceptð

(a) Language and Arithmetic for class 1st and 2nd ;

(b) Language, Environmental Science (EVS) and Arithmetic for class 3rd to 5th ; and

(c) Language, Social Science, Mathematics and Science for class 6th and 7th or as prescribed by the affiliating authority.

(v) Students shall not be asked to bring additional books and extra material to school. In any case, the weight of the school bag should not exceed the following limit (including bag weight and other material) :ð

S. No.	Class	The weight of school bag
1	Up to UKG	No bag
2	I-II	1.5 Kg.
3	III-V	3 Kg.
4	VI-VII	4 Kg.
5	VIII-IX	5 Kg.
6	X	5.5 Kg.

(2) School Education Department shall issue detailed guidelines and direction from time to time regulating the weight of the school bags.

(3) The Government may cancel affiliation and recognition of the school violating the provisions of the rule 8A (1) ; and

(4) The School Education Department shall issue academic calendar every year for the schools affiliated with JK, BOSE/Government which shall be followed by all the concerned schools.

By order of the Lieutenant Governor.

(Sd.) DR. ASGAR HASSAN SAMOON, lAS,

Principal/Secretary to Government,
School Education Department.

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EXTRAORDINARY REGD. NO. JKï 33

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PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð SOCIAL WELFARE DEPARTMENT

Notification

Jammu, the 20th April, 2020.

S. O.-127.ð In exercise of the powers conferred by section 23 of the Jammu and Kashmir Reservation Act, 2004 and the Rights of Persons with Disabilities Act, 2016 (No. 49 of

2016), the Lieutenant Governor of Jammu and Kashmir hereby directs that the following amendments shall be made in the Jammu and Kashmir Reservation Rules, 2005 ; namely :ð

1. In rule 2ð

(a) After clause (xi), the following shall be inserted, namely :ð

ñ(xia) ñPahari Speaking People (PSP)ò means the persons belonging to Pahari Community, clan or Tribe having distinct

Cultural, ethnic and linguistic identity to be identified in such manner as may be prescribed and by such Authority as may be appointed by the Government in this behalf.ò

2. Rule 4 shall be substituted by the following :ð

ñ4. **Reservation in Direct Recruitment**.ð Except as otherwise provided in these rules, available vacancies shall be reserved for direct recruitment in each service, class, category and grade belonging to any of the below mentioned categories which shall as nearly as possible constitute the percentage of available vacancies shown against each :ð

(a)	Scheduled Castes	8%
(b)	Scheduled Tribes	10%
(c)	Socially and Educationally Backward Clause (other than Scheduled Castes and Scheduled Tribes :ð	
	(i) Weaker and under privileged Classes (Social Caste) ;	4%
	(ii) Residents of areas adjoining Line of Actual Control (ALC)/ international Border (lB) ;	4%
	(iii) Residents of backward areas ;	10%
	(iv) Pahari Speaking People	4%

and posts under the state, maintain a roster of 100 vacancies in the form given herein after :ð

1. Open Competition
2. Backward Area
3. Scheduled Caste
4. Open Competition
5. Open Competition

6. Scheduled Tribe
7. Open Competition
8. Open Competition
9. Economically Weaker Section
10. Line of Actual Control/International Border
11. Open Competition
12. Backward Area
13. Pahari Speaking People (PSP)
14. Open Competition
15. Scheduled Caste
16. Scheduled Tribe
17. Social Caste
18. Open Competition
19. Economically Weaker Section
20. Open Competition
21. Open Competition.
22. Backward Area
23. Open Competition
24. Open Competition
25. Open Competition
26. Scheduled Tribe
27. Scheduled Caste
28. Open Competition
29. Economically Weaker Section
30. Open Competition
31. Open Competition

32. Open Competition
33. Backward Area
34. Open Competition
35. Pahari Speaking People (PSP)
36. Scheduled Tribe
37. Open Competition
38. Line of Actual Control/International Border
39. Scheduled Caste
40. Economically Weaker Section
41. Open Competition
42. Social Caste
43. Backward Area
44. Open Competition
45. Open Competition
46. Scheduled Tribe
47. Open Competition
48. Open Competition
49. Open Competition
50. Economically Weaker Section
51. Schedule Caste
52. Open Competition
53. Backward Area
54. Open Competition
55. Open Competition
56. Scheduled Tribe
57. Open Competition

58. Open Competition

59. Open Competition

60. Economically Weaker Section

61. Open Competition

62. Pahari Speaking People (PSP)

63. Scheduled Caste

64. Backward Area

65. Open Competition

66. Scheduled Tribe

67. Line of Actual Control/International Border

68. Open Competition

69. Open Competition

70. Economically Weaker Section

71. Social Caste

72. Open Competition

73. Open Competition

74. Backward Area

75. Scheduled Caste

76. Schedule Tribe

77. Open Competition

78. Open Competition

79. Open Competition

80. Open Competition

81. Economically Weaker Section
82. Open Competition
83. Open Competition
84. Backward Area
85. Open Competition
86. Schedule Tribe
87. Open Competition
88. Pahari Speaking People (PSP)
89. Scheduled Caste
90. Open Competition
91. Economically Weaker Section
92. Open Competition
93. Social Caste
94. Open Competition
95. Backward Area
96. Scheduled Tribe
97. Line of Actual Control/International Border
98. Open Competition
99. Economically Weaker Section
100. Open Competition

4. Rule 13 shall be substituted by the following :ð

Reservation in Professional Institutions.ð Except as hereinafter provided, seats shall be reserved for Scheduled castes, Scheduled Tribes, Socially, Educationally Backward Classes and Economically Weaker Sections (EWSs) in each course of professional institutions

which shall, as nearly as possible, constitute such a percentage of the available seats in that course as shown against each category or group hereinafter :ð

(i)	Scheduled Caste	8%
(ii)	Scheduled Tribe	10%
(iii)	Socially and Educationally Backward Classes (other than Scheduled Castes and Scheduled Tribes :ð	
	(a) Weak and under privileged Classes (Social Caste) ;	4%
	(b) Residents of areas adjoining Actual Line of Control/ international Border (lB) ;	4%
	(c) Residents of backward areas ;	10%
	(d) Pahari Speaking People	4%
(iv)	Economically Weaker Sections (EWSs)	10%
(v)	Physically Challenged Persons	4% (Horizontal)

Explanation :ð For purpose of clause (v) the horizontal reservation means the reservations which would cut across the vertical reservation (what is called interlocking reservation) and the person selected against the physically challenged quota will have to be placed in the appropriate category viz. if he/she belongs to the scheduled caste category, he/she will be placed in that quota by making the necessary adjustment and similarly if he/she belongs to the open competition category, he/she will be placed in that category.

5. Rule 15 shall be substituted by the following :ð

Distribution of seats.ð For the postgraduate courses in MD/MS/ M. Tech, Engineering and Agricultural Sciences and similar other postgraduate courses, the seats shall be distributed as follows with

the conditions that the selection of candidates from the reserved categories for different streams shall be made strictly on the basis of their *inter-se* merit, treating them as a single class for purpose of allotment of streams :ð

(i)	Open Merit Category	57%
(ii)	Reserved Categoriesð	
	(a) Scheduled Caste	8%
	(b) Scheduled Tribe	10%
	(c) Socially and Educationally Backward Classesð	
	(i) Residents of Backward Areas	10%
	(ii) Residents of Area Adjoining Actual Line of Control/International Border	4%
	(iii) Weak and Under Privileged Classes/ Social Caste)	14%
	(iv) Pahari Speaking People	4%
	(d) Children of Defence Personnel/Paramilitary Forces and State Police Personnel	2%
	(e) Candidates possessing Outstanding Proficiency in Sports	1%
	(f) Economically Weaker Sections (EWSs)	10%

(i) Proviso to Rule 15 shall be substituted by the following :ð

ñProvided that in case sufficient number of reserved seats are not available to accommodate all the reserved categories in a selection process, the available reserved seats shall be rotated in such a manner that all reserved categories get their due share in a phased manner. For the said purpose, the following running roster of 30 seats shall be maintained and followed till the same gets exhausted :ð

1 Backward Area

2 Scheduled Caste

3 Scheduled Tribe

4 Economically Weaker Section (EWSs)

5 Line of Actual Control/International Border

6 Pahari Speaking People

7 Social Caste

8 Children of Defence Personnel/State Police

9 Backward Area

10 Scheduled Caste

11 Scheduled Tribe

12 Economically Weaker Section

13 Backward Area

14 Scheduled Caste

15 Scheduled Tribe

16 Pahari Speaking People

17 Line of Actual Control/International Border

18 Backward Area

19 Scheduled Caste

20 Scheduled Tribe

21 Economically Weaker Section

22 Social Caste

23 Backward Area

24 Scheduled Caste

25 Candidates possessing outstanding proficiency in Sports

26 Scheduled Tribe

27 Economically Weaker Section

28 Backward Area

29 Scheduled Tribe

30 Economically Weaker Section

6. In rule 18, after sub-clause (iii) of clause (a), following sub-clause (iv) shall be addedð

(iv) Pahari Speaking People (PSP) Tehsildar

7. In rule 19, in sub-rule (i) of Rule 19 for the sign ñIIIò, the sign ñIII and IlIAò shall be substituted.

8 In rule 21, after clause (viii), the following clause (ix), shall be added :ð

(ix) (a) A person claiming the benefit under the Pahari Speaking People Category must be a member of the Pahari Clan, Community or Tribe having Distinct Cultural, Ethnic and Linguistic identity.

(b) He/She must be speaking Pahari language and his/her mother tongue must be Pahari.

(c) He/She must produce Aadhar card/Voter Identity Card/ Domicile Certificate.

(d) Further, Tehsildar, shall be the authority to certify the claim of persons belonging to said Category. The Revenue Authority shall issue such certificate after due diligence as per Form-XV appended to this notification.

9. In Rule 23, after the sign ñXIVAò, the sign ñXVò shall be added.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAILENDRA KUMAR, IAS,

Principal Secretary to the Government,
Social Welfare Department.

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FORM IIIA

APPLICATION FOR BEING A MEMBER OF THE PAHARI SPEAKlNG PEOPLE CATEGORY

To

The Competent Authority,

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Sir,

I request that a Certificate of being a Member of Pahari Speaking People category may please be issued in my favour. The grounds of claim and other particulars are given as under :ð

1. Name of the applicant ï
2. Fatherôs name/guardian/person upon whom dependent ï
3. Place of residence of the applicant :
   (i) Village/Mohalla ï
   (ii) Tehsil ï
   (iii) District ï
4. Place of residence of father/guardian/ person upon whom dependent ï
5. Whether the applicant is a permanent resident of the Union territory

   Yes/No
6. Occupation of the father/guardian/ person upon whom dependent ï
7. Total income from all sources of the applicant/father/person upon whom dependent per annum ï

8. The applicant belongs to
Pahari Community, Clan or
Tribe of that area ï

9. Date of application ï

I solemnly declare that I belong to Pahari category, Clan or Tribe of that area and my mother tongue is Pahari.

I further declare that the entries made above are true and nothing has been concealed.

Signature of the Applicant

(For use in the Office of the Competent Authority)

Application received on____________along with______enclosures and entered in the Register at Serial No.___________

Competent Authority with seal.

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PART I–B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATï ï POWER DEVELOPMENT DEPARTMENT

Notification

Jammu, the 20th April, 2020.

S. O.-128.ï ï In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Government hereby appoints the officers of J&K Power Development Department (JKPDD), Jammu Power Distribution Corporation Limited (JPDCL) and Kashmir Power Distribution Corporation Limited (KPDCL), shown in ñAnnexureò to this notification, as Executive Magistrates of the First Class

to perform their functions under sub-section (2) of section 163 of Electricity Act, 2003 within their respective territorial jurisdiction.

By order of the Government of Jammu and Kashmir.

(Sd.) M. RAJU, IAS,

Secretary to the Government.

Annexure to Notification SO-128 dated 20-04-2020

Name of Corporation	Designation of the Officer
1	2
Kashmir Power Distribution Corporation Limited (KPDCL)	1 Superintending Engineer, O&M Circle-I, Srinagar
	2 Superintending Engineer, O&M Circle-II, Srinagar
	3 Superintending Engineer, O&M Circle, Ganderbal
	4 Superintending Engineer, O&M Circle, Bijbehara
	5 Superintending Engineer, O&M Circle, Sopore
	6 Superintending Engineer, O&M Circle, Pulwama
	7 Superintending Engineer, O/o MD, KPDCL
	8 Executive Engineer, to Chief Engineer (D), KPDCL
	9 Executive Engineer, Electric Div.-I, Srinagar
	10 Executive Engineer, Electric Div.-II, Srinagar
	11 Executive Engineer, Electric Div.-III, Srinagar
	12 Executive Engineer, Electric Div.-IV, Srinagar
	13 Executive Engineer, Electric Div., Budgam
	14 Executive Engineer, Electric Div., Ganderbal
	15 Executive Engineer, Electric Div., Anantnag
	16 Executive Engineer, Electric Div., Bijbehara
	17 Executive Engineer, Electric Div., Kulgam
	18 Executive Engineer, Electric Div., Awantipora
	19 Executive Engineer, Electric Div. Pulwama
	20 Executive Engineer, Electric Div., Shopian
	21 Executive Engineer, Electric Div., Baramulla
	22 Executive Engineer, Electric Div., Handwara
	23 Executive Engineer, Electric Div., Sopore

1	2
	24 Executive Engineer, Electric Div., Bandipora
	25 Executive Engineer, Electric Div., Kupwara
	26 Executive Engineer, Electric Div., Sumbal
	27 Executive Engineer, STD-I, Srinagar
	28 Executive Engineer, STD-II, Srinagar
	29 Executive Engineer, STD, Pulwama
	30 Executive Engineer, STD, Sopore
	31 Execu tive Engineer, STD, Ganderbal
	32 Executive Engineer, Central Workshop Div., Pampore
Planning and Procurement (KPDCL)	1 Superintending Engineer, Planning, KPDCL
	2 Superintending Engineer, Procurement, KPDCL
	3 Executive Engineer to Chief Engineer (P&P), KPDCL
	4 Executive Engineer-I, Planning, KPDCL
	5 Executive Engineer-II, Planning, KPDCL
	6 Executive Engineer-I, Procurement, KPDCL
	7 Executive Engineer-II, Procurement, KPDCL
	8 Executive Engineer, Central Stores, Div. Pampore, KPDCL
Jammu Power Distribution Corporation Limited (JPDCL)	1 Superintending Engineer, O&M Circle, Jammu
	2 Superintending Engineer, O&M Circle, Kathua
	3 Superintending Engineer, O&M Circle, Rajouri
	4 Superintending Engineer, O&M Circle, Kishtwar
	5 Superintending Engineer, O&M Circle, Batote
	6 Executive Engineer to Chief Engineer (D), JPDCL
	7 Superintending Engineer, O/o MD, JPDCL
	8 Executive Engineer, Electric Div.-I, Jammu

1	2	
	9	Executive Engineer, Electric Div.-II, Jammu
	10	Executive Engineer, Electric Div.-III, Jammu
	11	Executive Engineer, Electric Div., Vijaypur
	12	Executive Engineer, Electric Div., Kathua
	13	Executive Engineer, Electric Div., Rajouri
	14	Executive Engineer, Electric Div., Poonch
	15	Executive Engineer, Electric Div., Udharnpur
	16	Executive Engineer, Electric Div., Batote
	17	Executive Engineer, Electric Div., Doda
	18	Executive Engineer, Electric Div., Kishtwar
	19	Executive Engineer, Electric Div., Reasi
	20	Executive Engineer, STD-I, Jammu
	21	Executive Engineer, STD-II, Jammu
	22	Executive Engineer, STD, Kathua
	23	Executive Engineer, STD, Kalakote
	24	Executive Engineer, STD, Udharnpur
	25	Executive Engineer, STD, Doda
	26	Executive Engineer, Central Workshop Div., Jammu
Planning and Procurement JPDCL	1	Superintending Engineer, Planning, JPDCL
	2	Superintending Engineer, Procurement, JPDCL
	3	Executive Engineer to Chief Engineer (P&P), JPDCL
	4	Executive Engineer-I, Planning, JPDCL
	5	Executive Erigineer-II, Planning, JPDCL
	6	Executive Engineer-I, Procurement, JPDCL
	7	Executive Engineer-II, Procurement, JPDCL
	8	Executive Engineer-III, Procurement, JPDCL

1	2
	9 Executive Engineer, Central Stores Div., Jammu, JPDCL
Office of Secretary, Technical, JKPDD	1 Superintending Engineer O/o Secretary, Technical

EXTRAORDINARY REGD. NO. JKï 33

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PART I–B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð HOME DEPARTMENT

Notification

Jammu, the 22nd of April, 2020.

S. O.-129.ð Whereas, on 14-10-2016 Police Station, Zainapora received information that Hurriyat activist Mohammad Yousuf Ganie @ Falie S/o Gh. Mohammad Ganie R/o Molu Chitragam and others addressed a public gathering in Village Molu Chitragam and urged the people to be united and follow the Hartal calendar issued by the Hurriyat and also raised anti India slogans, besides urged the youth to continue struggle to fight against the integrity and sovereignty of India ; and

2. Whereas, a Case FIR No. 72/2016 u/s13 Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Zainapora and investigation was set into motion ; and

3. Whereas, during the course of investigation site plan of place of occurrence was prepared, statement of witnesses acquainted with the facts and circumstances of the case were recorded under section 161 Cr. P. C. Statement of witnesses recorded *inter alia* reveal that accused Mohammad Yousuf Ganie @ Falie, accused Bilal Ahmad Mir S/o Gh. Mohammad Mir R/o Kungno raised anti national slogans while addressing the public gathering ; and

4. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating officer has *prima facie* established involvement of the accused namely Mohd Yousuf Ganie @ Falie S/o Gh. Mohammad Ganie R/o Molu Chitragam and Bilal Ahmad Mir S/o Gh. Mohammad Mir R/o Kungno for commission of offence punishable under section 13 of Unlawful Activities (Prevention) Act, 1967 ; and

5. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently examined the case diary file and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the above accused ; and

6. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above mentioned accused for the commission of offence punishable under

section 13 ULA (P) Act, in case FIR No. 72/2016 of Police Station, Zainapora.

By order of the Government of Jammu and Kashmir.

(Sd.) ....

Principal Secretary to Government,
Home Department.

EXTRAORDINARY REGD. NO. JKð 33

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

ï ï
Vol. 133] Jammu, Wed., the 8th April, 2020/19th Chai., 1942. [No. 1-g
ï ï
Separate paging is given to this part in order that it may be filed as a separate compilation.
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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð DEPARTMENT OF LAW, JUSTICE
AND PARLIAMENTARY AFFAIRS
(Judicial Administration Section)

Notification

Jammu, the 8th April, 2020.

SO-124.ð In exercise of the powers conferred by section 20B of the Specific Relief Act, 1963, the Government in consultation with the Chief Justice of Common High Court of Union Territory of Jammu and

Kashmir and Union Territory of Ladakh hereby designates the following Courts as Special Courts for the Districts shown against each for the purpose of the said Act :ð

S. No.	Name of the Court	Districts
1.	Court of Principal District and Sessions Judge of the concerned district	Samba, Bhaderwah (Doda), Ramban, Reasi, Budgam, Poonch, Shopian, Kulgam, Kupwara, Bandipora and Ganderbal.
2.	Court of Additional District and Sessions Judge of the concerned district	Jammu, Kathua, Udhampur, Rajouri, Srinagar, Pulwarna, Anantnag and Baramulla.

By order of the Lieutenant Governor.

(Sd.) ACHAL SETHI,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY REGD. NO. JKï 33

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THE JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART I–B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð HOME DEPARTMENT

Notification

Jammu, the 28th April, 2020.

S. O.-141.ð Whereas, on 22-10-2008, Police Post, Hajin received an information to the effect that Mohammad Yaseen Malik, Chairman, JKLF along with few associates including Molvi Showkat Ahmad Shah (Member Coordination Committee, APHC) appeared at Hajin Chowk where large number of people assembled and started raising anti-national and Pro Pak slogans ; and

2. Whereas, a Case FIR No. 260/2008 U/S 13 Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Sumbal and investigation was set into motion ; and

3. Whereas, during the course of investigation site plan of place of occurrence was prepared, statement of witnesses acquainted with the facts and circumstances of the case were recorded under section 161 and 164-A Cr. P. C. ; and

4. Whereas, during the course of investigation the accused persons namely Mohammad Yaseen Malik (Chairman, JKLF) and Molvi Showkat Ahmad Shah (Member, Coordination Committee, APHC) were arrested and detained under J&K Public Safety Act, 1978. Both the accused were released subsequently ; and

5. Whereas, on 08-04-2011 the accused Molvi Showkat Ahmad Shah (Member, Coordination Committee, APHC) S/o Mohammad Yousuf Shah R/o Lal Bazar, Srinagar was killed by some unknown terrorists ; and

6. Whereas, on the basis of investigation, statement of witnesses recorded, and other evidence collected, the investigating officer has *prima facie* established involvement of the accused namely Mohammad Yaseen Malik (Chairman, JKLF) S/o Gh. Qadir Malik R/o Maisuma for commission of offence punishable under section 13 of Unlawful Activities (Prevention) Act, 1967 ; and

7. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act,1967, the Government is of the view that there is sufficient material and evidence available against the above-mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above-mentioned accused for the commission of offence punishable under section 13 Unlawful Activities (Prevention) Act, 1967 in the case FIR No. 260/2008 of Police Station, Sumbal, Bandiproa.

By order of the Government of Jammu and Kashmir.

(Sd.) ....

Principal Secretary to Government,
Home Department.

EXTRAORDINARY REGD. NO. JKï ï 33

सत्यमेव जयते

THE
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Vol. 133] Jammu, Mon., the 22nd June, 2020/1st Asad., 1942. [No. 12-e

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PART I–B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIATð HOME DEPARTMENT

Notification

Jammu, the 22nd June, 2020.

SOï 197.ð Whereas, on 20-12-2019, Police, Awantipora received reliable information that one active terrorist namely Amir Shafi Thokar S/o Mohammad Shafi Thokar R/o Kawnai was hiding in the orchards of Village Kawani in injured condition ; and

2. Whereas, a case FIR No. 149/2019 under sections 18, 38 Unlawful Activities (Prevention) Act 1967, came to be registered in Police Station, Awantipora and investigation was taken up ; and

3. Whereas, Cordon and search operation was launched and during search the accused was arrested, site plan of place of occurence was prepared, statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provision of law ; and

4. Whereas, during the further course of investigation it was revealed that the accused Amir Shafi Thokar has joined the militant ranks of LeT outfit and was close associate of two active terrorists of LeT outfit namely Irshad Ahmad Dar S/o Mohammad Yousuf Dar R/o Trichal and Aqib Ramzan Wani S/o Mohammad Ramzan Wani R/o Barha Bandina. The accused Amir Shafi Thokar has got injured at an unknown place and during the cordon and search operation, the other two accused fled leaving behind the accused Amir Shafi Thokar, leading to his arrest ; and

5. Whereas, on the basis of investigation the investigating officer has established *prima facie* case against the below mentioned accused persons for commission of offences punishable Under Sections 18, 38 of Unlawful Activities (Prevention) Act, 1967 :ð

S. No.	Name of accused	Offence
1.	Amir Shafi Thokar S/o Mohammad Ramzan Thokar R/o Kawani.	18, 38, ULA(P) Act
2.	Aqib Ramzan Wani S/o Mohammad Ramzan Wani R/o Barhabandina **(Active terrorist).**	
3.	Irahad Ahmad Dar S/o Mohammad Yousuf Dar R/o Trichal Pulwama **(Active terrorist)**	

6. Whereas, accused figuring at S. No. 2 & 3 were active terrorist and proceedings under section 512 Cr. P. C. (Now 299 Cr. P. C.) have been initiated against them ; and

7. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently examined the case diary file and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the above accused ; and

8. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching proseution against the above mentioned accused for the commission of offences punishable under sections 18, 38 of Unlawful Activities (Prevention) Act, 1967 in the case FIR No. 149/2019 of Police Station, Awantipora.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Government,
Home Department.

EXTRAORDINARY REGD. NO. JKð 33

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notification

Srinagar, the 3rd July, 2020.

SO.-209.ï ï In exercise of the powers conferred by proviso to sub-section (2) of section (3) of the Jammu and Kashmir Municipal Act, 2000, the Lieutenant Governor of the Union Territory of Jammu and Kashmir is pleased to upgrade the following Municipal Committees

as Municipal Councils, falling under the jurisdiction of Directorate of Urban Local Bodies, Jammu/Kashmir and their subsequent inclusion under Schedule I of the J&K Municipal Act, 2000, namely :ð

S. No.	Name of the Municipal Committee	Upgraded As
1.	Municipal Committee, Kulgam	Municipal Council, Kulgam
2.	Municipal Committee, Pulwama	Municipal Council, Pulwama
3.	Municipal Committee, Shopian	Municipal Council, Shopian
4.	Municipal Committee, Ganderbal	Municipal Council, Ganderbal
5.	Municipal Committee, Budgam	Municipal Council, Budgam
6.	Municipal Committee, Bandipora	Municipal Council, Bandipora
7.	Municipal Committee, Kupwara	Municipal Council, Kupwara
8.	Municipal Committee, Reasi	Municipal Council, Reasi
9.	Municipal Committee, Doda	Municipal Council, Doda
10.	Municipal Committee, Samba	Municipal Council, Samba
11.	Municipal Committee, Kishtwar	Municipal Council, Kishtwar
12.	Municipal Committee, Ramban	Municipal Council, Ramban
13.	Municipal Committee, Rajouri	Municipal Council, Rajouri

By order of the Lieutenant Governor.

(Sd.) .....

Principal Secretary to Government,
Housing and Urban Development Department.

EXTRAORDINARY REGD. NO. JKð 33

THE
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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð GENERAL ADMINISTRATION
DEPARTMENT

Notification

Srinagar, the 7th July, 2020.

SO.-212.ïï In exercise of powers conferred by Section 93 of the Jammu and Kashmir Reorganization Act, 2019, and SO.-3937 (E) dated 31st October, 2019, read with order issued in terms of

sub-clause (i) of clause (c) of the Proclamation issued by the President dated 31st October, 2019, the Lieutenant Governor of Union Territory of Jammu and Kashmir is pleased to appoint the following persons as Member of the Public Service Commission for the Union territory of Jammu and Kashmir :ð

1. Dr. Farooq Ahmad Lone, IAS (retired).

2. Mr. Zabair Ahmed Raza, District and Sessions Judge, Doda.

The above persons shall hold the position of Member, Public Service Commission, till they attain the age of sixty two years. Their appointment shall take effect from the date they assume the office.

By order of the Lieutenant Governor.

(Sd.) CHARANDEEP SINGH,

Additional Secretary to the Government.

EXTRAORDINARY REGD. NO. JKð 33

सत्यमेव जयते

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notification

Srinagar, the 15th July, 2020.

SO-219.ð WHEREAS, section 427 of the Jammu and Kashmir Municipal Corporation Act, 2000 (XXI of 2000) provides as follows :ð

ñ427. **Power to remove difficulties**.ð If any difficulty arises in giving effect to the provisions of this Act or by reasons of anything contained in this Act to any other enactment for the time being in force, the Government may, as occasion requires, by order direct that this Act shall during such period as may be specified in the order but not extending beyond the expiry of two years from the

commencement orders have effect subject to such adaptations whether by way of modification, addition or omissions as it may deem to be necessary and expedient.ò

AND WHEREAS, a difficulty has arisen in giving effect to section 36 of the Act ;

Now, therefore, in exercise of the powers conferred by section 427 of the Jammu and Kashmir Municipal Corporation Act, 2000, the Government hereby makes the following order, namely : ð

1. **Short title and commencement**.ð (1) This Order may be called the Jammu and Kashmir Municipal Corporation (Removal of Difficulties) Order, 2020.

(2) It shall come into force at once and shall remain in force for a period of one year or till it is revoked by the Government, whichever is earlier.

2. **Removal of difficulties**.ð The difficulties arising in giving effect to the provisions of section 36 of the Jammu and Kashmir Municipal Corporation Act, 2000 have been removed in the following manner, namely :ð

In section 36, after second proviso to sub-section (2), following proviso shall be inserted, namely :ð

ñProvided also that the Government may, if the circumstances so warrant, on account of reasons of internal security, public health including health pandemic, natural calamity such as floods, earthquake, snowstorm or an event of a similar nature or any other reason which is a hindrance to the conduct of election of the Mayor or the Deputy Mayor, by reasons to be recorded in writing, extend the time limit of conducting the elections up to a maximum of three months from the date the office of the Mayor or the Deputy Mayor falls vacant.ò

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to the Government,
Housing and Urban Development Department.

EXTRAORDINARY REGD. NO. JKð 33

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THE
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PART III

Laws, Regulations and Rules passed thereunder.

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THE NATIONAL CAPITAL TERRITORY OF DELHI (RECOGNITION OF PROPERTY RIGHTS OF RESIDENTS IN UNAUTHORISED COLONIES) ACT, 2019

(No. 45 of 2019)

[11th December, 2019.]

An Act to provide special provisions for the National Capital Territory of Delhi for recognising the property rights of resident in unauthorised colonies by securing the rights of ownership or transfer or mortgage in favour of the residents of such colonies who are possessing properties on the basis of Power of Attorney, Agreement to Sale, Will, possession letter or any other documents including documents evidencing payment of consideration and for the matters connected therewith or incidental thereto.

WHEREAS there has been phenomenal increase in the population of the National Capital Territory of Delhi in the last few decades owing to

migration and other factors but development of planned housing colonies have not kept pace with the requirements of a burgeoning population resulting in the increase of unauthorised colonies ;

AND WHEREAS number of unauthorised colonies have been identified in the National Capital Territory of Delhi on the basis of applications made by the Residents Welfare Associations for regularisation in pursuance to notification number S.O. 683(E), dated the 24th March, 2008 of the Delhi Development Authority, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 24th March, 2008 ;

AND WHEREAS the properties in these colonies are not being registered by registering authority and thereby the residents do not have any title documents in respect of such properties and the Banks and financial institutions do not extend any credit facilities in respect of said properties ;

AND WHEREAS the ownership of the properties in unauthorised colonies have been transferred several times through registered or un-registered or notarised Power of Attorney, Agreement to Sale, Will, possession letter and other documents including documents evidencing payment of consideration and stamp duty on these multiple transactions have neither assessed nor been paid ;

AND WHEREAS the stamp duty on the conveyance deed or authorisation slip, as the case may be, is leviable as per minimum rates (circle rates) specified in the notification of the Government of the National Capital Territory of Delhi published vide number F.1(953)Regn.Br./ Div.Com/HQ/2014, dated the 22nd September, 2014 or the sale consideration mentioned in the conveyance deed or authorisation slip, as the case may be, whichever is higher ;

AND WHEREAS the Supreme Court in the case of Suraj Lamp & Industries (P) Ltd. Vs. State of Haryana & others vide its judgment dated the 11th October, 2011 had held that sale agreement/general Power of Attorney or Will transactions are not ñtransfersò or ñsalesò and that such transactions cannot be treated as completed transfers or conveyances and they can continue to be treated as existing agreement of sale ;

AND WHEREAS keeping in view the socio-economic conditions of the residents of these unauthorised colonies and ground realities, it is

desirable to recognise and confer rights of ownership or transfer or mortgage to the residents of such colonies on the basis of Power of Attorney, Agreement to Sale, Will, possession letter and other documents including documents evidencing payment of consideration and to facilitate development or re-development that may improve existing infrastructure, civic and social amenities which may lead to better quality of life ;

AND WHEREAS it is expedient to have a law to recognise and confer rights of ownership or transfer or mortgage to the residents of unauthorised colonies as one time special measure.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ð

1. *Short title and extent.*—(1) This Act may be called the National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Act, 2019.

(2) It extends to the National Capital Territory of Delhi.

2. *Definitions.*—In this Act, unless the context otherwise requires,ð

(a) ñresidentò means a person having physical possession of property on the basis of a registered sale deed or latest Power of Attorney, Agreement to Sale, Will, possession letter and other documents including documents evidencing payment of consideration in respect of a property in unauthorised colonies and includes their legal heirs but does not include tenant, licensee or permissive user ;

(b) ñunauthorised colonyò means a colony or development comprising of a contiguous area, where no permission has been obtained for approval of layout plan or building plans and has been identified for regularisation of such colony in pursuance to the notification number S.O. 683(E), dated the 24th March, 2008 of the Delhi Development Authority, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 24th March, 2008.

3. *Recognition of property rights.*—(1) Notwithstanding anything contained in the Indian Stamp Act, 1899 (2 of 1899) and the Registration

Act, 1908 (16 of 1908) as applicable to the National Capital Territory of Delhi or any rules or regulations or bye-laws made thereunder and the judgment of the Supreme Court in the case of Suraj Lamp & Industries (P) Ltd. Vs. State of Haryana & others, dated the 11th October, 2011, the Central Government may, by notification in the Official Gazette, regularise the transactions of immovable properties based on the latest Power of Attorney, Agreement to Sale, Will, possession letter and other documents including documents evidencing payment of consideration for conferring or recognising right of ownership or transfer or mortgage in regard to an immovable property in favour of a resident of an unauthorised colony.

(2) The Central Government may, by notification published in the Official Gazette, fix charges on payment of which transactions of immovable properties based on the latest Power of Attorney, Agreement to Sale, Will, possession letter and other documents including documents evidencing payment of consideration for conferring or recognising right of ownership or transfer or mortgage in regard to an immovable property in favour of a resident of an unauthorised colony through a conveyance deed or authorisation slip, as the case may be.

(3) Notwithstanding anything contained in section 27 of the Indian Stamp Act, 1899, (2 of 1899) the stamp duty and registration charges shall be payable on the amount mentioned in the conveyance deed or authorisation slip, as the case may be.

(4) Any resident of an unauthorised colony having registered or un-registered or notarised Power of Attorney, Agreement to Sale, Will, possession letter and other documents including documents evidencing payment of consideration shall be eligible for right of ownership or transfer or mortgage through a conveyance deed or authorisation slip, as the case may be, on payment of charges referred to in sub-section (2).

(5) No stamp duty and registration charges shall be payable on any previous sale transactions made prior to any transaction referred to in sub-section (4).

(6) The tenants, licensees or permissive users shall not be considered for conferring or recognising any property rights under this Act.

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PART IV

Reprints from the Government of India Gazette.

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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 11th December, 2019/20th Agra., 1941. (Saka.)

The following Act of Parliament received the assent of the President on the 11th December, 2019, and is hereby published for general information :ð

THE TAXATION LAWS (AMENDMENT) ACT, 2019

(No. 46 of 2019)

[11th December, 2019.]

An Act further to amend the Income-tax Act, 1961 and to amend the Finance (No. 2) Act, 2019.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ð

PART I

Preliminary

1. *Short title and commencement.*—(1) This Act may be called the Taxation Laws (Amendment) Act, 2019.

(2) Save as otherwise provided, it shall be deemed to have come into force on the 20th day of September, 2019.

CHAPTER II

Amendments in the Income-Tax Act, 1961

2. *Amendment of section 92BA.*—In section 92BA of the Income-tax Act, 1961 (43 of 1961) (hereafter in this Chapter referred to as the Income-tax Act), after clause (v), the following clause shall be inserted, with effect from the 1st day of April, 2020, namely :ð

ñ(va) any business transacted between the persons referred to in sub-section (6) of section 115BAB ;ò.

3. *Amendment of section 115BA.*—In section 115BA of the Income-tax Act, with effect from the 1st day of April, 2020,ð

(a) for the marginal heading ñTax on income of certain domestic companiesò, the marginal heading ñTax on income of certain manufacturing domestic companiesò shall be substituted ;

(b) in sub-section (1), for the words ñsubject to the other provisions of this Chapterò, the words, figures and letters ñsubject to the other provisions of this Chapter, other than those mentioned under section 115BAA and section 115BABò shall be substituted ;

(c) in sub-section (4), after the proviso, the following proviso shall be inserted, namely :ð

ñProvided further that where the person exercises option under section 115BAA, the option under this section may be withdrawn.ò.

4. *Insertion of new sections 115BAA and 115BAB.*—After section 115BA of the Income-tax Act, the following sections shall be inserted with effect from the 1st day of April, 2020, namely :ð

ó115BAA. *Tax on income of certain domestic companies.*—(1) Notwithstanding anything contained in this Act but subject to the provisions of this Chapter, other than those mentioned under

section 115BA and section 115BAB, the income-tax payable in respect of the total income of a person, being a domestic company, for any previous year relevant to the assessment year beginning on or after the 1st day of April, 2020, shall, at the option of such person, be computed at the rate of twenty-two per cent., if the conditions contained in sub-section (2) are satisfied :

Provided that where the person fails to satisfy the conditions contained in sub-section (2) in any previous year, the option shall become invalid in respect of the assessment year relevant to that previous year and subsequent assessment years and other provisions of the Act shall apply, as if the option had not been exercised for the assessment year relevant to that previous year and subsequent assessment years.

(2) For the purposes of sub-section (1), the total income of the company shall be computed,ð

(a)

(i) without any deduction under the provisions of section 10AA or clause (iia) of sub-section (1) of section 32 or section 32AD or section 33AB or section 33ABA or sub-clause (ii) or sub-clause (iia) or sub-clause (iii) of sub-section (1) or sub-section (2AA) or sub-section (2AB) of section 35 or section 35AD or section 35CCC or section 35CCD or under any provisions of Chapter VI-A under the heading ñC.ð Deductions in respect of certain incomesò other than the provisions of section 80JJAA ;

(ii) without set off of any loss carried forward or depreciation from any earlier assessment year, if such loss or depreciation is attributable to any of the deductions referred to in clause (i) ;

(iii) without set off of any loss or allowance for unabsorbed depreciation deemed so under section 72A, if such loss or depreciation is attributable to any of the deductions referred to in clause (i) ; and

(iv) by claiming the depreciation, if any, under any provision of section 32, except clause (iia) of sub-section (1) of the said section, determined in such manner as may be prescribed.

(3) The loss and depreciation referred to in clause (ii) and clause (iii) of sub-section (2) shall be deemed to have been given full effect to and no further deduction for such loss or depreciation shall be allowed for any subsequent year :

Provided that where there is a depreciation allowance in respect of a block of asset which has not been given full effect to prior to the assessment year beginning on the 1st day of April, 2020, corresponding adjustment shall be made to the written down value of such block of assets as on the 1st day of April, 2019 in the prescribed manner, if the option under sub-section (5) is exercised for a previous year relevant to the assessment year beginning on the 1st day of April, 2020.

(4) In case of a person, having a Unit in the International Financial Services Centre, as referred to in sub-section (1A) of section 80LA, which has exercised option under sub-section (5), the conditions contained in sub-section (2) shall be modified to the extent that the deduction under section 80LA shall be available to such Unit subject to fulfilment of the conditions contained in the said section.

Explanation.—For the purposes of this sub-section, the term ñUnitò shall have the same meaning as assigned to it in clause (zc) of section 2 of the Special Economic Zones Act, 2005 (28 of 2005).

(5) Nothing contained in this section shall apply unless the option is exercised by the person in the prescribed manner on or before the due date specified under sub-section (1) of section 139 for furnishing the returns of income for any previous year relevant to the assessment year commencing on or after the 1st day of April, 2020 and such option once exercised shall apply to subsequent assessment years :

Provided that in case of a person, where the option exercised by it under section 115BAB has been rendered invalid due to violation of conditions contained in sub-clause (ii) or sub-clause (iii) of

clause (a), or clause (b) of sub-section (2) of said section, such person may exercise option under this section :

Provided further that once the option has been exercised for any previous year, it cannot be subsequently withdrawn for the same or any other previous year.

115BAB. *Tax on income of new manufacturing domestic companies.*—(1) Notwithstanding anything contained in this Act but subject to the provisions of this Chapter, other than those mentioned under section 115BA and section 115BAA, the income-tax payable in respect of the total income of a person, being a domestic company, for any previous year relevant to the assessment year beginning on or after the 1st day of April, 2020, shall, at the option of such person, be computed at the rate of fifteen per cent., if the conditions contained in sub-section (2) are satisfied :

Provided that where the total income of the person, includes any income, which has neither been derived from nor is incidental to manufacturing or production of an article or thing and in respect of which no specific rate of tax has been provided separately under this Chapter, such income shall be taxed at the rate of twenty-two per cent. and no deduction or allowance in respect of any expenditure or allowance shall be allowed in computing such income :

Provided further that the income-tax payable in respect of the income of the person deemed so under second proviso to sub-section (6) shall be computed at the rate of thirty per cent. :

Provided also that the income-tax payable in respect of income being short-term capital gains derived from transfer of a capital asset on which no depreciation is allowable under the Act shall be computed at the rate of twenty-two per cent. :

Provided also that where the person fails to satisfy the conditions contained in sub-section (2) in any previous year, the option shall become invalid in respect of the assessment year relevant to that previous year and subsequent assessment years and other provisions of the Act shall apply to the person as if the option had not been exercised for the assessment year relevant to that previous year and subsequent assessment years.

(2) For the purposes of sub-section (1), the following conditions shall apply, namely :ð

(a) the company has been set-up and registered on or after the 1st day of October, 2019, and has commenced manufacturing or production of an article or thing on or before the 31st day of March, 2023 and,ð

(i) the business is not formed by splitting up, or the reconstruction, of a business already in existence :

Provided that this condition shall not apply in respect of a company, business of which is formed as a result of the re-establishment, reconstruction or revival by the person of the business of any such undertaking as is referred to in section 33B, in the circumstances and within the period specified in the said section ;

(ii) does not use any machinery or plant previously used for any purpose.

Explanation 1.—For the purposes of sub-clause (ii), any machinery or plant which was used outside India by any other person shall not be regarded as machinery or plant previously used for any purpose, if the following conditions are fulfilled, namely :ð

(A) such machinery or plant was not, at any time previous to the date of the installation used in India ;

(B) such machinery or plant is imported into India from any country outside India ; and

(C) no deduction on account of depreciation in respect of such machinery or plant has been allowed or is allowable under the provisions of this Act in computing the total income of any person for any period prior to the date of the installation of machinery or plant by the person.

Explanation 2.—Where in the case of a person, any machinery or plant or any part thereof previously used for any

purpose is put to use by the company and the total value of such machinery or plant or part thereof does not exceed twenty per cent. of the total value of the machinery or plant used by the company, then, for the purposes of sub-clause (ii) of this clause, the condition specified therein shall be deemed to have been complied with ;

(iii) does not use any building previously used as a hotel or a convention centre, as the case may be, in respect of which deduction under section 80-ID has been claimed and allowed.

Explanation.ð For the purposes of this sub-clause, the expressions ñhotelò and ñconvention centreò shall have the meanings respectively assigned to them in clause (a) and clause (b) of sub-section (6) of section 80-ID ;

(b) the company is not engaged in any business other than the business of manufacture or production of any article or thing and research in relation to, or distribution of, such article or thing manufactured or produced by it.

Explanation.ð For the removal of doubts, it is hereby clarified that the business of manufacture or production of any article or thing referred to in clause (b) shall not include business of,ð

(i) development of computer software in any form or in any media ;

(ii) mining ;

(iii) conversion of marble blocks or similar items into slabs ;

(iv) bottling of gas into cylinder ;

(v) printing of books or production of cinematograph film ; or

(vi) any other business as may be notified by the Central Government in this behalf ; and

(c) the total income of the company has been computed,ð

(i) without any deduction under the provisions of section 10AA or clause (iia) of sub-section (1) of section 32 or section 32AD or section 33AB or section 33ABA or sub-clause (ii) or sub-clause (iia) or sub-clause (iii) of sub-section (1) or sub-section (2AA) or sub-section(2AB) of section 35 or section 35AD or section 35CCC or section 35CCD or under any provisions of Chapter VI-A under the headingñC.ð Deductions in respect of certain incomesò other than the provisions of section 80JJAA ;

(ii) without set off of any loss or allowance for unabsorbed depreciation deemed so under section 72A where such loss or depreciation is attributable to any of the deductions referred to in sub-clause (i).

Explanation.—For the removal of doubts, it is hereby clarified that in case of an amalgamation, the option under sub-section (7) shall remain valid in case of the amalgamated company only and if the conditions contained in sub-section (2) are continued to be satisfied by such company ; and

(iii) by claiming the depreciation under the provision of section 32, except clause (iia) of sub-section (1) of the said section, determined in such manner as may be prescribed.

(3) The loss referred to in sub-clause (ii) of clause (c) of sub-section (2) shall be deemed to have been given full effect to and no further deduction for such loss shall be allowed for any subsequent year.

(4) If any difficulty arises regarding fulfilment of the conditions contained in sub-clause (ii) or sub-clause (iii) of clause (a) of sub-section (2) or clause (b) of said sub-section, as the case may be, the Board may, with the approval of the Central Government, issue guidelines for the purpose of removing the difficulty and to promote manufacturing or production of article or thing using new plant and machinery.

(5) Every guideline issued by the Board under sub-section (4) shall be laid before each House of Parliament, and shall be binding on the person, and the income-tax authorities subordinate to it.

(6) Where it appears to the Assessing Officer that, owing to the close connection between the person to which this section applies and any other person, or for any other reason, the course of business between them is so arranged that the business transacted between them produces to the person more than the ordinary profits which might be expected to arise in such business, the Assessing Officer shall, in computing the profits and gains of such business for the purposes of this section, take the amount of profits as may be reasonably deemed to have been derived therefrom :

Provided that in case the aforesaid arrangement involves a specified domestic transaction referred to in section 92BA, the amount of profits from such transaction shall be determined having regard to armôs length price as defined in clause (ii) of section 92F :

Provided further that the amount, being profits in excess of the amount of the profits determined by the Assessing Officer, shall be deemed to be the income of the person.

(7) Nothing contained in this section shall apply unless the option is exercised by the person in the prescribed manner on or before the due date specified under sub-section (1) of section 139 for furnishing the first of the returns of income for any previous year relevant to the assessment year commencing on or after 1st day of April, 2020 and such option once exercised shall apply to subsequent assessment years :

Provided that once the option has been exercised for any previous year, it cannot be subsequently withdrawn for the same or any other previous year.

Explanation.—For the purposes of section 115BAA and this section, the expression ñunabsorbed depreciationò shall have the meaning assigned to it in clause (b) of sub-section (7) of section 72A.ô

5. *Amendment of section 115JAA.*—In section 115JAA of the Income-tax Act, after sub-section (7), the following sub-section shall be inserted with effect from the 1st day of April, 2020, namely :ð

ñ(8) The provisions of this section shall not apply to a person who has exercised the option under section 115BAA.ò.

6. *Amendment of section 115JB.*—In section 115JB of the Income-tax Act, with effect from the 1st day of April, 2020,ð

(a) in sub-section (1), the following proviso shall be inserted, namely :ð

ñProvided that for the previous year relevant to the assessment year commencing on or after the 1st day of April, 2020, the provisions of this subsection shall have effect as if for the words ñeighteen and one-half per cent.ò occurring at both the places, the words ñfifteen per cent.ò had been substituted.ò ;

(b) for sub-section (5A), the following sub-section shall be substituted, namely :ð

ñ(5A) The provisions of this section shall not apply to,ð

(i) any income accruing or arising to a company from life insurance business referred to in section 115B ;

(ii) a person who has exercised the option referred to under section 115BAA or section 115BAB.ò.

7. *Amendment of section 115QA.*—In section 115QA of the Income-tax Act, in sub-section (1), the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 5th day of July, 2019, namely :ð

ñProvided that the provisions of this sub-section shall not apply to such buy-back of shares (being the shares listed on a recognised stock exchange), in respect of which public announcement has been made on or before the 5th day of July, 2019 in accordance with the provisions of the Securities and Exchange Board of India (Buyback of Securities) Regulations, 2018 made under the Securities and Exchange Board of India Act, 1992 (15 of 1992).

CHAPTER III

Amendments in the Finance (No. 2) Act, 2019

8. *Amendment of Act No. 23 of 2019.*—In section 2 of the Finance (No. 2) Act, 2019 [hereafter in this Chapter referred to as the Finance (No. 2) Act], in sub-section (9), with effect from the 1st day of April, 2019,ð

(a) in the second proviso, for the words ñFirst Scheduleò, the words, figures and letters ñFirst Schedule, except in case of a domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Actò shall be inserted and shall be deemed to have been inserted ;

(b) in the third proviso,ð

(i) in clause (a) for the words ñthe Income-tax Actò the words, figures and letters ñthe Income-tax Act, not having any income under section 115AD of the Income-tax Actò shall be inserted and shall be deemed to have been inserted ;

(ii) after clause (a), the following clause shall be inserted and shall be deemed to have been inserted, namely :ð

ó(aa) in the case of individual or every association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act having income under section 115AD of the Income-tax Act,ð

(i) at the rate of ten per cent. of such ñadvance taxò, where the total income exceeds fifty lakh rupees, but does not exceed one crore rupees ;

(ii) at the rate of fifteen per cent. of such ñadvance taxò, where the total income exceeds one crore rupees but does not exceed two crore rupees ;

(iii) at the rate of twenty-five per cent. of such ñadvance taxò, where the total income [excluding the income

of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds two crore rupees but does not exceed five crore rupees ;

(iv) at the rate of thirty-seven per cent. of such ñadvance taxò, where the total income [excluding the income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds five crore rupees ;

(v) at the rate of fifteen per cent. of such ñadvance taxò, where the total income [including the income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds two crore rupees but is not covered in sub-clauses (iii) and (iv) :

Provided that in case where the total income includes any income chargeable under clause (b) of sub-section (1) of section 115AD of the Income-tax Act, the rate of surcharge on the advance tax calculated on that part of income shall not exceed fifteen per cent. ;ô;

(iii) in clause (c), in the opening portion, for the words ñdomestic companyò, the words, figures and letters ñdomestic company except such domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act,ò shall be inserted and shall be deemed to have been inserted ;

(c) in the fourth proviso, for the words, brackets and letter ñin (a) aboveò, the words, brackets and letters ñin (a) and (aa) aboveò shall be substituted ;

(d) after the eighth proviso, the following proviso shall be inserted, namely :ð

ñProvided also that in case of every domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act, the advance tax computed

under the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such ñadvance taxò.ò.

9. *Amendment of Part II of First Schedule.*—In the First Schedule of the Finance (No. 2) Act,ð

(A) in PART II, under the sub-heading ñSurcharge on income-taxò, in paragraph (i), in clause (a), with effect from the 1st day of April, 2019,ð

(i) in sub-clauses I and II, after the words ñaggregate of such incomesò, the brackets, words, figures and letters ñ(including the income under the provisions of section 111A and section 112A of the Income-tax Act)ò shall be inserted and shall be deemed to have been inserted ;

(ii) in sub-clauses III and IV, after the words ñaggregate of such incomesò, the brackets, words, figures and letters ñ(excluding the income under the provisions of section 111A and section 112A of the Income-tax Act)ò shall be inserted and shall be deemed to have been inserted ;

(iii) after sub-clause IV, the following sub-clause shall be inserted and shall be deemed to have been inserted, namely :ð

ñV. at the rate of fifteen per cent. of such tax, where the income or aggregate of the such incomes (including income under the provisions of section 111A and section 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds two crore rupees, but is not covered under sub-clauses III and IV) :

Provided that in case where the total income includes any income chargeable under section 111A and section 112A of the Income-tax Act, the rate of surcharge on the amount of Income-tax deducted in respect of that part of income shall not exceed fifteen per cent. ;ò ;

(B) in PART III, in Paragraph A, under the sub-heading ñSurcharge on income-taxò, after the opening portion,ð

(i) in clauses (a) and (b), after the words ñhaving a total incomeò, the brackets, words, figures and letters ñ(including the income

under the provisions of section 111A and section 112A)ò shall be inserted ;

(ii) in clauses (c) and (d), after the words ñhaving a total incomeò, the brackets, words, figures and letters ñ(excluding the income under the provisions of section 111A and section 112A)ò shall be inserted ;

(iii) after clause (d) and before the proviso, the following clause shall be inserted, namely :ð

ñ(e) having a total income (including income under the provisions of section 111A and section 112A) exceeding two crore rupees, but is not covered under clauses (c) and (d), shall be applicable at the rate of fifteen per cent. of such income-tax :

Provided that in case where the total income includes any income chargeable under section 111A and section 112A of the Income-tax Act, the rate of surcharge on the amount of Income-tax computed in respect of that part of income shall not exceed fifteen per cent. ;ò.

10. *Repeal and savings.*—(1) The Taxation Laws (Amendment) Ordinance, 2019 (Ord. 15 of 2019) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of this Act.

EXTRAORDINARY REGD. NO. JKð 33

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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Vol. 133] Jammu, Wed., the 20th May, 2020/30th Vai., 1942. [No. 7-t

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð GENERAL ADMINISTRATION DEPARTMENT

Notification

Jammu, the 20th of May, 2020.

SO-175.ï ï In exercise of the powers conferred by Section 23 of the Jammu and Kashmir Board of Professional Entrance Examination Act, 2002, the Lieutenant Governor of Union Territory of Jammu and Kashmir is pleased to direct that Rule 4 of the Jammu and Kashmir Board of Professional Entrance Examination Rules, 2014 shall be substituted as under :ð

ñ(4) **General Eligibility for Admission.—**Any candidate interested in appearing in any entrance test, conducted by the Board, must

possess Domicile Certificate issued under the Jammu and Kashmir Grant of Domicile Certificate (Procedure) Rules, 2020 and such age and qualification, including of category certificate and experiece, as prescribed by the Government for such course from time to time.ò

By order of the Lieutenant Governor.

(Sd.) MOHIT RAINA, KAS,

Under Secretary to the Government.

EXTRAORDINARY REGD. NO. JKð 33

सत्यमेव जयते

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð GENERAL ADMINISTRATION
DEPARTMENT

Notification

Jammu, the 20th May, 2020.

SO.-177.ïï1n exercise of powers conferred by Section 93 of the Jammu and Kashmir Reorganization Act, 2019, and SO.-3937 (E) dated 31st October, 2019, read with order issued in terms of sub-clause (i) of clause (c) of the Proclamation issued by the President dated 31st

October, 2019, the Lieutenant Governor of Union Territory of Jammu and Kashmir is pleased to appoint Mr. B. R. Sharma, IAS, (Retd.), as Chairman, Public Service Commission for the Union Territory of Jammu and Kashmir. He shall hold the position of the Chairman, Public Service Commission, till he attains the age of sixty two years.

His appointment shall take effect from the date he assumes the office.

By order of the Lieutenant Governor.

(Sd.) DR. FAROOQ AHMAD LONE, IAS,

Secretary to the Government.

EXTRAORDINARY REGD. NO. JKð 33

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð GENERAL ADMINISTRATION DEPARTMENT

Notification

Jammu, the 27th May, 2020.

SO.-179.ï ï -In exercise of powers conferred by Sectio 93 of the Jammu and Kashmir Reorganization Act, 2019, and SO.-3937 (E) dated 31st October, 2019, read with Order issued in terms of sub-clause (i) of clause (c) of the Proclamation issued by the President dated 31st

October, 2019, the Lieutenant Governor of Union Territory of ammu and Kashmir is pleased to direct that :ð

(i) A person appointed to be Chairman of the Public Service Commission for the Union Territory of Jammu and Kashmir shall, before he/she enters upon his/her office, make and subscribe before the Lieutenant Governor of Union Territory of Jammu and Kashmir, or some person appointed in that behalf by him, an oath or affirmation according to Form-I annexed to this notification.

(ii) A person appointed to be Member of the Public Service Commission for the Union Territory of Jammu and Kashmir shall, before he/she enters upon his/her office, make and subscribe before the Chairman of the Commission, or some person appointed in that behalf by him, an oath or affirmation according to Form-II annexed to this notification.

By order of the Lieutenant Governor.

(Sd.) FAROOQ AHMAD LONE, IAS,

Secretary to the Government.

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FORM-I

OATH FOR CHAIRMAN

ñI_____l do swear in the name of God/do solemnly affirms that I will bear true faith and allegiance to the Constitution of India as by law established, that I will duly and faithfully perform the duties of my office as Chairman of the Public Service Commission without fear or favour, affection or ill-will and that I will uphold the Constitution and the Lawsò,

I further do swear in the name of God/do solemnly affirm that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as the Chairman of the Commission except as may be required for the due discharge of my duties as Chairman of the Jammu and Kashmir Public Service Commission.

(_____)

Jammu

Dated : _____

Lieutenant Governor, J&K.

FORM-II

OATH FOR A MEMBER

ñI _____, do swear in the name of God/do solemnly affirms that I will bear true faith and allegiance to the Constitution of India as by law established, that I will duly and faithfully perform the duties of my office as Member of the Public Service Commission for the Union Territory of Jammu and Kashmir without fear or favour, affection or ill-will and that I will uphold the Constitution and the lawsò.

I further do swear in the name of God/do solemnly affirm that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Member of the Commission except as may be required for the due discharge of my duties as Member of the Jammu and Kashmir Public Service Commission.

(_____)

Jammu

Dated :_____

Chairman,
J&K Public Service Commission.

EXTRAORDINARY REGD. NO. JKð 33

सत्यमेव जयते

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notification

Jammu, the 26th May, 2020.

SO.-178.ï ï In exercise of the powers conferred by sub-section (1) of section 4 of The Jammu and Kashmir Housing Board Act, 1976, (Act No. VII of 1976) and in supersession of all previous notifications issued on the subject, the Government hereby direct that the J&K

Housing Board contituted vide Notification SRO-267 dated 12-05-1976, shall consist of the following members ; namely :ð

1.	Principal Secretary to the Government, Housing and Urban Development Department	Chairperson
2.	Principal Secretary to Government, Planning, Development and Monitoring Department	Member
3.	Principal Secretary to Government, Public Works (R&B) Department	Member
4.	Divisional Commissioner, Jammu	Member
5.	Divisional Commissioner, Kashmir	Member
6.	Managing Director, J&K, Housing Board	Member Secretary
7.	Representative of the Finance Department not below the rank of Additional Secretary	Member
8.	Chief Town Planner, Jammu	Member
9.	Chief Town Planner, Kashmir	Member

The term of the office of the aforesaid members shall be two years.

By order of the Lieutenant Governor.

(Sd.) DHEERAJ GUPTAT, IAS,

Principal Secretary to Government,
Housing and Urban Development Department.

EXTRAORDINARY REGD. NO. JKð 33

सत्यमेव जयते

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð GENERAL ADMINISTRATION DEPARTMENT

Notification

Jammu, the 28th May, 2020.

SO.-180.ï ï In exercise of the powers conferred by proviso to Articl 309 of Constitution of India and in supersession of all rules/orders on the subject, the Leutenant Governor of Union Territory of Jammu and Kahmir is pleased to direct that there shall be no oral test for posts

upto and including Pay Level 5 (Rs. 29200-92300) and the selection for all such posts shall be made on the basis of written test only with further stipulation that trade test/skill test wherever prescribed shall continue to be held as per the relevant recruitment rules.

This notification shall also apply to such of the selections undertaken by the recruiting agency where the written test has not been conducted on the date of publication of this notification :

Provided that the procedure for selection for all posts for which test has already been conducted by the recruiting agencies shall continue to be governed by the rules/orders in force on the date of advertisement.

By order of the Lieutenant Governor.

(Sd.) DR. FAROOQ AHMAD LONE, IAS,

Secretary to the Government.

EXTRAORDINARY REGD. NO. JKð 33

सत्यमेव जयते

THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATð FINANCE DEPARTMENT

Notification

Jammu, the 29th May, 2020.

SO-181.ï ï In exercise of the powers conferred by sections 3 and 3 A of the Jammu and Kashmir Motor Spirit and Diesel Oil (Taxation of Sale) Act, Samvat 2005, and in supersession of all the previous notifications on the subject, the Government hereby direct that tax and

surcharge on sale of Motor Spirit (Petrol) and Diesel Oil shall be levied at the rate as shown against each in column 3 and 4 of the table given below :ð

S. No.	Name of the commodity	Rate of Tax	Surcharge
1.	Motor Spirit (Petrol)	24% minus Rs. 0.50/litre	Rs. 5/litre
2.	Diesel Oil	16%	Rs. 1.5/litre

This notification shall come into force w. e. f. 01-06-2020.

(Sd.) DR. ARUN KUMAR MEHTA, IAS,

Financial Commissioner,
Finance Department.

EXTRAORDINARY REGD. NO. JKï ï 33

THE
JAMMU & KASHMIR OFFICIAL GAZETTE

ï ï

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PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIATð GENERAL ADMINISTRATION DEPARTMENT

Notification

Jammu, the 17th of June, 2020.

SOï 193.ð In exercise of the powers conferred by proviso to Article 309 of the Constitution of India read with section 15 of the

Jammu and Kashmir Civil Services (Decentralization and Recruitment) Act, 2010, the Lieutenant Governor hereby directs following amendments in the Jammu and Kashmir Appointment to Class-IV (Special Recruitment) Rules, 2020, issued vide Notification S.O. 184 dated 4th of June, 2020 ;

1. Rule 8 of the rules shall be substituted as under :

ñ8.**Conditions of Service.**ð The appointments made under these rules shall be governed by the provisions of the Jammu and Kashmir Probationer (Condition of Service, Pay and Allowances) and Fixation of Tenure Rules, 2020, notified vide S.O. No. 192 dated 17-06-2020.ò

By order of the Lieutenant Governor.

(Sd.) DR. FAROOQ AHMAD LONE, IAS,
Secretary to the Government.

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EXTRAORDINARY REGD. NO. JKï ï 33

THE
JAMMU & KASHMIR OFFICIAL GAZETTE

ï ï

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ï ï

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PART III

Laws, Regulations and Rules passed thereunder.

————

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIATð GENERAL ADMINISTRATION DEPARTMENT

Notification

Jammu, the 17th of June, 2020.

SOï 194.ð In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and in supersession of all rules/

orders on the subject, the Lieutenant Governor is pleased to direct the following amendments in the Jammu and Kashmir Special Recruitment Rules, 2015, namely :ð

1. *Short title and commencement.*ð (1) These rules may be called the Jammu and Kashmir Special Recruitment (Amendment) Rules, 2020.

(2) It shall come into force with immediate effect.

2. In rule 8 of the Jammu and Kashmir Special Recruitment Rules, 2015 (hereinafter refered to as the ósaid rulesô), in sub-rule (1), for ófive yearsô, substitute ótwo yearsô, wherever occuring ;

3. In rule 9 of the said rules in sub-rules (1) and (2), for the words ófive yearsô, substitute ótwo yearsô, wherever occurring ;

4. In rule 10 of the said rules, in sub-rule (1), for the words ófive years serviceô, substitute ótwo years servicesô ;

5. After rule 12 of the said rules, following rules shall be added,ð

ñ13. **No monetary benefit as a result of amendments made by the Jammu and Kashmir Special Recruitment (Amendment) Rules, 2020 before 1-7-2020.—** Any person appointed under these rules before 1-7-2020 shall be governed by provisions of rules 8, 9 and 10, as amended by the Jammu and Kashmir Special Recruitment (Amendment) Rules, 2020, subject to the condition that ;

(a) Such persons, who have completed probation prior to 1-7-2020 as per the amendments made by the Jammu and Kashmir Special Recruitment (Amendment) Rules, 2020, shall be entitled to notional benefit only upto 30-6-2020 and monetary benefit with effect from 1-7-2020.

(b) Such persons, who complete their probation after 1-7-2020 as per the amendments made by the

Jammu and Kashmir Special Recruitment (Amendment) Rules, 2020, shall be entitled to monetary benefit from the date of completion of such probation ; and

(c) Before getting any benefit under amended rules, an appointee under these rules has to furnish an undertaking in such form as may be prescribed by the General Administration Department that he agrees to the change in terms of his appointment failing which he will continue to be governed by the original terms of his appointment.

14.**No appointment under these rules**.ð After coming into force of the Jammu and Kashmir Special Recruitment (Amendment) Rules, 2020, no fresh appointment shall be made these rules.ò

By order of the Lieutenant Governor.

(Sd.) DR. FAROOQ AHMAD LONE, IAS,
Secretary to the Government.

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EXTRAORDINARY REGD. NO. JKï ï 33

सत्यमेव जयते

THE
JAMMU & KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Mon., the 22nd June, 2020/1st Asad., 1942. [No. 12-c

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I–B

Jammu and Kashmir Government—Notifications

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIATð HOME DEPARTMENT

Notification

Jammu, the 22nd June, 2020

SOï 195.ð Whereas on 22-12-2019, Police, Sopore, apprehended a terrorist namely Sadam Hussain Mir S/o Gh. Mohammad Mir R/o Brath Kalan, Sopore at Janwara crossing and recovered one Pistol with Magazine and five live catridges from his possession ; and

2. Whereas, Case FIR No. 301/2019 under section 7/25 A.Act, 18, 18-B, 20, 23, 38 ULA(P) Act, came to be registered in Police Station Sopore and investigation set into motion ; and

3. Whereas, during investigation site of place of occurance and seizure memo of recovered arms/ammunition was prepared, statement of witnesses acquainted with the facts and circumstances of the case were recorded under relevant provisions of law ; and

4. Whereas, during further course of investigation it was revealed that accused Sadam Hussain Mir along with his friend Aaqib Ashraf Mir @ Aasif S/o Mohammad Ashraf Mir had joined LeT outfit as instigated by an active terrorist of LeT outfit namely Sajad Ahmad Mir @ Haider S/o Gh. Qadir Mir R/o Brath Kalan ; and

5. Whereas, the accused Aaqib Ashraf Mir arrested in connection with the case, he disclosed that the he had received arms/ammunition from accused Sadam Hussain and subsequent to his disclosure, one Pistol with Magazine along with two live cartridges and one hand grenade was recovered from his possession ; and

6. Whereas, during further investigation it came to the for that accused Sadam Hussain Mir and Aaqib Ashraf Mir has joined the LeT outfit as instigated by Sajad Ahmad Mir @ Haider an active terrorist and was a close associate of him since he had joined the outfit ; and

7. Whereas, based on evidence collected, statements of witnesses recorded and other material placed on record, the below mentioned accused were found in the commission of offences under relevant sections of ULA(P) Act as shown against each :ð

S. No.	Name of accused	Offence
1.	Sadam Hussain Mir S/o Gh. Mohammad Mir R/o Brath Kalans	18, 20, 23, 38, ULA(P) Act

2.	Aaqib Ashraf Mir S/o Mohammad Ashraf Mir R/o Brath Kalan	18, 20, 23, 38, ULA(P) Act
3.	Sajad Ahmad Mir @ Haider S/o Gh. Qadir Mir R/o Brath Kalan (Active terrorist)	18-B, 20, 38 ULA(P) Act

8. Whereas, accused Sajad Ahmad Mir @ Haider is absconding and proceedings under section 512 (Now 299) Cr. P.C. has been initiated against him ; and

9. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently examined the case diary file and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out agaisnt the above accused ; and

10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act,1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching proseution against the above mentioned accused for the commission of offences punishable under sections 18, 18-B, 20, 23, 38 ULA(P) Act, in the case Fir No. 301/2019 of Police Station Sopore.

By order of the Government of Jammu and Kashmir.

(Sd.) DR. FAROOQ AHMAD LONE, IAS,
Secretary to the Government.

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EXTRAORDINARY REGD. NO. JKï ï 33

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PART I–B

Jammu and Kashmir Government–Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIATð HOME DEPARTMENT

Notification

Jammu, the 22nd June, 2020.

SOï 196.ð Whereas, on 04-01-2020, Police Station, Sadder received reliable information that some terrorists affiliated with banned organization of LeT outfit are hiding in Barzulla area and were planning to carry out some terrorist act ; and

2. Whereas, the cordon and search operation was launched and during search one terrorist identified as Nissar Ahmad Dar @ Usmah Lala S/o Ghulam Rasool Dar R/o Wahabpora, Hajin affiliated with LeT outfit was arrested and from his disclosure one AK-47 Rifle, 02 AK Magazines, 60 Live Rounds, 02 Chinese Hand Grenades and 01 Pouch was recovered ; and

3. Whereas, Case FIR No. 07/2020 under section 7/25 A. Act, 120-B, IPC, 16, 18, 19, 38, 39 ULA (P) Act, came to be registered in Police Station, Sadder and investigation set into motion ; and

4. Whereas, during investigation site plan of place of occurrence and seizure memo of recovered arms/ammunition was prepared, statement of witnesses acquainted with the facts and circumstances of the case were recorded under relevant provisions of law ; and

5. Whereas, during further course of investigation it was revealed that accused (1) Mohammad Iqbal Wani, (2) Suhail Ahmad Malik, (3) John Mohammad Ganie @ Raja, (4) Suhail Ahmad Parry, (5) Javaid Ahmad Parray, (6) Muzamil Ayoub @ Umer Ayoub, and (7) Ghulam Hassan Rather were working as OGWôs with Nissar Ahmad Dar. The above accused persons were providing logistic support to the terrorist in the area, however the above accused persons came to be arrested in connection with the case ; and

6. Whereas, during investigation it was revealed that the above mentioned accused persons used one Government Ambulance bearing registration No. JK15A-7315 driven by accused Aijaz Rasool Lone and one Alto Car bearing registration No. JK15A-2044 belonging to Abdul Hamid Dar S/o Abdul Aziz R/o Saderkote, Bala, Bandipora for movement of accused terrorist Nissar Ahmad Dar from one place to another for carrying out subversive activities. The Government Ambulance and Alto Car was seized in the case and the seizure memo was prepared the accused persons driving the vehicles were arrested in the case ; and

7. Whereas, based on evidence collected, statements of witnesses recorded and other material placed on record, the below mentioned

accused were found in the commission of offences under relevant sections of ULA(P) Act as shown against each :ð

S. No.	Name of accused	Offence
1	Nissar Ahmad Dar @ Usman Lala S/o Gh. Rasool Dar R/o Wahabpora, Hajin.	16, 18, 20, ULA(P) Act
2	Mohammad Iqbal Wani S/o Ali Mohammad Wani R/o Hajin.	
3	Suhail Ahmad Malik S/o Fojdar Malik R/o Gundpora, Bandipora.	
4	Aijaz Rasool Lone S/o Gh. Rasool Lone R/o Gundpora, Bandipora.	
5	John Mohammad Ganie @ Raja S/o Gh. Mohammad R/o Gundpora, Bandipora.	18, 19, 39 ULA(P)
6	Ab. Hamid Dar S/o Ab. Aziz R/o Saderkote Bala, Bandipora.	Act
7	Suhail Ahmad Parry S/o Zahoor Ahmad Parray R/o Banger Mohalla, Hajin.	
8	Javaid Ahmad Parray S/o Mohammad Sultan Parry R/o Hajin.	
9	Muzamil Ayoub @ Umer Ayoub S/o Mohammad Ayoub R/o Naid Mohalla, Hajin.	
10	Gh. Hassan Rather S/o Mohammad Subhan Rather R/o Parray Mohalla, Hajin.	

8. Whereas, the Authority appointed by the Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently examined the case diary file and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the above accused ; and

9. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority

appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above-mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above-mentioned accused for the commission of offences punishable under sections 16, 18, 19, 20, 39 ULA(P) Act, in the case FIR No. 07/2020 of Police Station, Sadder.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Government,
Home Department.

EXTRAORDINARY REGD. NO. JKð 33

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PART IV

Reprints from the Government of India Gazette.

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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 8th August, 2019/Shravana 17, 1941 (Saka).

The following Act of Parliament received the assent of the President on the 8th August, 2019, and is hereby published for general information :ð

THE NATIONAL MEDICAL COMMISSION ACT, 2019

(No. 30 of 2019)

[8th August, 2019.]

An Act to provide for a medical education system that improves access to quality and affordable medical education, ensures availability of adequate and high quality medical professionals in all parts of the country ; that promotes equitable and universal healthcare that encourages community health perspective and makes services of

medical professionals accessible to all the citizens ; that promotes national health goals ; that encourages medical professionals to adopt latest medical research in their work and to contribute to research ; that has an objective periodic and transparent assessment of medical institutions and facilitates maintenance of a medical register for India and enforces high ethical standards in all aspects of medical services ; that is flexible to adapt to changing needs and has an effective grievance redressal mechanism and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ð

CHAPTER I

Preliminary

1. *Short title, extent and commencement.*ð (1) This Act may be called the National Medical Commission Act, 2019.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. *Definitions.*—In this Act, unless the context otherwise requires,ð

(a) ñAutonomous Boardò means any of the Autonomous Boards constituted under section 16 ;

(b) ñChairpersonò means the Chairperson of the National Medical Commission appointed under section 5 ;

(c) ñCommissionò means the National Medical Commission constituted under section 3 ;

(d) ñCouncilò means the Medical Advisory Council constituted under section 11 ;

(e) ñEthics and Medical Registration Boardò means the Board constituted under section 16 ;

(f) ñhealth Universityò means a University specialised in affiliating institutions engaged in teaching medicine, medical and health sciences and includes a medical University and University of health sciences ;

(g) ñlicenceò means a licence to practice medicine granted under sub-section (1) of section 33 ;

(h) ñMedical Assessment and Rating Boardò means the Board constituted under section 16 ;

(i) ñmedical institutionò means any institution within or outside India which grants degrees, diplomas or licences in medicine and include affiliated colleges and deemed to be Universities ;

(j) ñmedicineò means modern scientific medicine in all its branches and includes surgery and obstetrics, but does not include veterinary medicine and surgery ;

(k) ñMemberò means a Member of the Commission appointed under section 5 and includes the Chairperson thereof ;

(l) ñNational Board of Examinationò means the body registered as such under the Societies Registration Act, 1860 (21 of 1860) which grants broad-speciality and super-speciality qualifications referred to in the Schedule ;

(m) ñNational Registerò means a National Medical Register maintained by the Ethics and Medical Registration Board under section 31 ;

(n) ñnotificationò means notification published in the Official Gazette and the expression ñnotifyò shall be construed accordingly ;

(o) ñPost-Graduate Medical Education Boardò means the Board constituted under section 16 ;

(p) ñprescribedò means prescribed by rules made under this Act ;

(q) ñPresidentò means the President of an Autonomous Board appointed under section 18 ;

(r) ñrecognised medical qualificationò means a medical qualification recognised under section 35 or section 36 or section 37 or section 40, as the case may be ;

(s) ñregulationsò means the regulations made by the Commission under this Act ;

(t) ñScheduleò means the Schedule to this Act ;

(u) ñState Medical Councilò means a medical council constituted under any law for the time being in force in any State or Union Territory for regulating the practice and registration of practitioners of medicine in that State or Union territory ;

(v) ñState Registerò means a register maintained under any law for the time being in force in any State or Union territory for registration of practitioners of medicine ;

(w) ñUnder-Graduate Medical Education Boardò means the Board constituted under section 16 ;

(x) ñUniversityò shall have the same meaning as assigned to it in clause (f) of section 2 of the University Grants Commission Act, 1956 (3 of 1956) and includes a health University.

CHAPTER II

The National Medical Commission

3. *Constitution of National Medical Commission.*—(1) The Central Government shall constitute a Commission, to be known as the National Medical Commission, to exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.

(2) The Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The head office of the Commission shall be at New Delhi.

4. *Composition of Commission*.—(1) The Commission shall consist of the following persons to be appointed by the Central Government, namely :ð

(a) a Chairperson ;

(b) ten *ex-officio* Members ; and

(c) twenty-two part-time Members.

(2) The Chairperson shall be a medical professional of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of medical sciences from any University and having experience of not less than twenty years in the field of medical sciences, out of which at least ten years shall be as a leader in the area of medical education.

(3) The following persons shall be the *ex-officio* Members of the Commission, namely :ð

(a) the President of the Under-Graduate Medical Education Board ;

(b) the President of the Post-Graduate Medical Education Board ;

(c) the President of the Medical Assessment and Rating Board ;

(d) the President of the Ethics and Medical Registration Board ;

(e) the Director General of Health Services, Directorate General of Health Services, New Delhi ;

(f) the Director General, Indian Council of Medical Research ;

(g) a Director of any of the All India Institutes of Medical Sciences, to be nominated by the Central Government ;

(h) two persons from amongst the Directors of Postgraduate Institute of Medical Education and Research, Chandigarh ; Jawaharlal Institute of Postgraduate Medical Education and Research, Puducherry ; Tata Memorial Hospital, Mumbai ; North Eastern Indira Gandhi Regional Institute of Health and Medical Sciences, Shillong ; and All India Institute of Hygiene and Public Health, Kolkata ; to be nominated by the Central Government ; and

(i) one person to represent the Ministry of the Central Government dealing with Health and Family Welfare, not below the rank of Additional Secretary to the Government of India, to be nominated by that Ministry.

(4) The following persons shall be appointed as part-time Members of the Commission, namely :ð

(a) three Members to be appointed from amongst persons of ability, integrity and standing, who have special knowledge and professional experience in such areas including management, law, medical ethics, health research, consumer or patient rights advocacy, science and technology and economics ;

(b) ten Members to be appointed on rotational basis from amongst the nominees of the States and Union territories, under clauses (c) and (d) of sub-section (2) of section 11, in the Medical Advisory Council for a term of two years in such manner as may be prescribed ;

(c) nine members to be appointed from amongst the nominees of the States and Union Territories, under clause (e) of sub-section (2) of section 11, in the Medical Advisory Council for a term of two years in such manner as may be prescribed.

*Explanation.*ð For the purposes of this section and section 17, the term ñleaderò means the Head of a Department or the Head of an organisation.

5. *Search Committee for appointment of Chairperson and Members.*—(1) The Central Government shall appoint the Chairperson, part-time Members referred to in clause (a) of sub-section (4) of section 4 and the Secretary referred to in section 8 on the recommendation of a Search Committee consisting ofð

(a) the Cabinet Secretaryð Chairperson ;

(b) three experts, possessing outstanding qualifications and experience of not less than twenty-five years in the field of medical education, public health education and health research, to be nominated by the Central Governmentð Members ;

(c) one expert, from amongst the part-time Members referred to in clause (c) of sub-section (4) of section 4, to be nominated by the Central Government in such manner as may be prescribedð Member ;

(d) one person, possessing outstanding qualifications and experience of not less than twenty-five years in the field of management or law or economics or science and technology, to be nominated by the Central Governmentð Member ; and

(e) the Secretary to the Government of India in charge of the Ministry of Health and Family Welfare, to be the Convenorð Member.

(2) The Central Government shall, within one month from the date of occurrence of any vacancy, including by reason of death, resignation or removal of the Chairperson or a Member, or within three months before the end of tenure of the Chairperson or Member, make a reference to the Search Committee for filling up of the vacancy.

(3) The Search Committee shall recommend a panel of at least three names for every vacancy referred to it.

(4) The Search Committee shall, before recommending any person for appointment as the Chairperson or a Member of the Commission, satisfy itself that such person does not have any financial or other interest which is likely to affect prejudicially his functions as such Chairperson or Member.

(5) No appointment of the Chairperson or Member shall be invalid merely by reason of any vacancy or absence of a Member in the Search Committee.

(6) Subject to the provisions of sub-sections (2) to (5), the Search Committee may regulate its own procedure.

6. *Term of office and conditions of service of Chairperson and Members.*—(1) The Chairperson and the part-time Members, other than the part-time Members appointed under clauses (b) and (c) of sub-section (4) of section 4, shall hold office for a term not exceeding four years and shall not be eligible for any extension or re-appointment :

Provided that such person shall cease to hold office after attaining the age of seventy years.

(2) The term of office of an *ex officio* Member shall continue as long as he holds the office by virtue of which he is such Member.

(3) Where a Member, other than an *ex officio* Member, is absent from three consecutive ordinary meetings of the Commission and the cause of such absence is not attributable to any valid reason in the opinion of the Commission, such Member shall be deemed to have vacated the seat.

(4) The salaries and allowances payable to, and other terms and conditions of service of, the Chairperson and Member, other than an *ex officio* Member, shall be such as may be prescribed.

(5) The Chairperson or a Member may,ð

(a) relinquish his office by giving in writing to the Central Government a notice of not less than three months ; or

(b) be removed from his office in accordance with the provisions of section 7 :

Provided that such person may be relieved from duties earlier than three months or be allowed to continue beyond

three months until a successor is appointed, if the Central Government so decides.

(6) The Chairperson and every member of the Commission shall make declaration of his assets and his liabilities at the time of entering upon his office and at the time of demitting his office and also declare his professional and commercial engagement or involvement in such form and manner as may be prescribed, and such declaration shall be published on the website of the Commission.

(7) The Chairperson or a Member, ceasing to hold office as such, shall not accept, for a period of two years from the date of demitting such office, any employment, in any capacity, including as a consultant or an expert, in any private medical institution, whose matter has been dealt with by such Chairperson or Member, directly or indirectly :

Provided that nothing herein shall be construed as preventing such person from accepting an employment in a body or institution, including medical institution, controlled or maintained by the Central Government or a State Government :

Provided further that nothing herein shall prevent the Central Government from permitting the Chairperson or a Member to accept any employment in any capacity, including as a consultant or expert in any private medical institution whose matter has been dealt with by such Chairperson or Member.

7. *Removal of Chairperson and Member of Commission.*—(1) The Central Government may, by order, remove from office the Chairperson or any other Member, whoð

(a) has been adjudged an insolvent ; or

(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude ; or

(c) has become physically or mentally incapable of acting as a Member ; or

(d) is of unsound mind and stands so declared by a competent court ; or

(e) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Member ; or

(f) has so abused his position as to render his continuance in office prejudicial to public interest.

(2) No Member shall be removed under clauses (e) and (f) of sub-section (1) unless he has been given a reasonable opportunity of being heard in the matter.

8. *Appointment of Secretary, experts, professionals, officers and other employees of Commission.*—(1) There shall be a Secretariat for the Commission to be headed by a Secretary, to be appointed by the Central Government in accordance with the provisions of section 5.

(2) The Secretary of the Commission shall be a person of proven administrative capacity and integrity, possessing such qualifications and experience as may be prescribed.

(3) The Secretary shall be appointed by the Central Government for a term of four years and shall not be eligible for any extension or re-appointment.

(4) The Secretary shall discharge such functions of the Commission as are assigned to him by the Commission and as may be specified by regulations made under this Act.

(5) The Commission may, for the efficient discharge of its functions under this Act, appoint such officers and other employees, as it considers necessary, against the posts created by the Central Government.

(6) The salaries and allowances payable to, and other terms and conditions of service of, the Secretary, officers and other employees of the Commission shall be such as may be prescribed.

(7) The Commission may engage, in accordance with the procedure specified by regulations, such number of experts and professionals of integrity and outstanding ability, who have special knowledge of, and experience in such fields, including medical education, public health, management, health economics, quality assurance, patient advocacy, health research, science and technology, administration, finance, accounts

and law, as it deems necessary, to assist the Commission in the discharge of its functions under this Act.

9. *Meetings, etc., of Commission.*—(1) The Commission shall meet at least once every quarter at such time and place as may be appointed by the Chairperson.

(2) The Chairperson shall preside at the meeting of the Commission, and if, for any reason, the Chairperson is unable to attend a meeting of the Commission, any other Member, being the President of an Autonomous Board, nominated by the Chairperson, shall preside at the meeting.

(3) Unless the procedure to be followed at the meetings of the Commission is otherwise provided by regulations, one-half of the total number of Members of the Commission including the Chairperson shall constitute the quorum and all the acts of the Commission shall be decided by a majority of the members, present and voting and in the event of equality of votes, the Chairperson, or in his absence, the President of the Autonomous Board nominated under sub-section (2), shall have the casting vote.

(4) The general superintendence, direction and control of the administration of the Commission shall vest in the Chairperson.

(5) No act done by the Commission shall be questioned on the ground of the existence of a vacancy in, or a defect in the constitution of, the Commission.

(6) A person who is aggrieved by any decision of the Commission except the decision rendered under sub-section (4) of section 30 may prefer an appeal to the Central Government against such decision within thirty days of the communication of such decision.

10. *Powers and functions of Commission.*—(1) The Commission shall perform the following functions, namely :ð

(a) lay down policies for maintaining a high quality and high standards in medical education and make necessary regulations in this behalf ;

(b) lay down policies for regulating medical institutions, medical researches and medical professionals and make necessary regulations in this behalf ;

(c) assess the requirements in healthcare, including human resources for health and healthcare infrastructure and develop a road map for meeting such requirements ;

(d) promote, co-ordinate and frame guidelines and lay down policies by making necessary regulations for the proper functioning of the Commission, the Autonomous Boards and the State Medical Councils ;

(e) ensure co-ordination among the Autonomous Boards ;

(f) take such measures, as may be necessary, to ensure compliance by the State Medical Councils of the guidelines framed and regulations made under this Act for their effective functioning under this Act ;

(g) exercise appellate jurisdiction with respect to the decisions of the Autonomous Boards ;

(h) lay down policies and codes to ensure observance of professional ethics in medical profession and to promote ethical conduct during the provision of care by medical practitioners ;

(i) frame guidelines for determination of fees and all other charges in respect of fifty per cent of seats in private medical institutions and deemed to be universities which are governed under the provisions of this Act ;

(j) exercise such other powers and perform such other functions as may be prescribed.

(2) All orders and decisions of the Commission shall be authenticated by the signature of the Secretary.

(3) The Commission may delegate such of its powers of administrative and financial matters, as it deems fit, to the Secretary.

(4) The Commission may constitute sub-committees and delegate such of its powers to such sub-committees as may be necessary to enable them to accomplish specific tasks.

CHAPTER III

The Medical Advisory Council

11. *Constitution and composition of Medical Advisory Council.*—(1) The Central Government shall constitute an advisory body to be known as the Medical Advisory Council.

(2) The Council shall consist of a Chairperson and the following members, namely :ð

(a) the Chairperson of the Commission shall be the *ex officio* Chairperson of the Council ;

(b) every member of the Commission shall be the *ex officio* members of the Council ;

(c) one member to represent each State, who is the Vice-Chancellor of a health University in that State, to be nominated by that State Government ;

(d) one member to represent each Union Territory, who is the Vice-Chancellor of a health University in that Union Territory, to be nominated by the Ministry of Home Affairs in the Government of India ;

(e) one member to represent each State and each Union Territory from amongst elected members of the State Medical Council, to be nominated by that State Medical Council ;

(f) the Chairman, University Grants Commission ;

(g) the Director, National Assessment and Accreditation Council ;

(h) four members to be nominated by the Central Government from amongst persons holding the post of Director in the Indian Institutes of Technology, Indian Institutes of Management and the Indian Institute of Science :

Provided that if there is no health University in any State or Union Territory, the Vice-Chancellor of a University within that State or Union territory having the largest

number of medical colleges affiliated to it shall be nominated by the State Government or by the Ministry of Home Affairs in the Government of India :

Provided further that if there is no University in any Union Territory, the Ministry of Home Affairs shall nominate a member who possesses such medical qualification and experience as may be prescribed.

12. *Functions of Medical Advisory Council.*—(1) The Council shall be the primary platform through which the States and Union territories may putforth their views and concerns before the Commission and help in shaping the overall agenda, policy and action relating to medical education and training.

(2) The Council shall advise the Commission on measures to determine and maintain, and to co-ordinate maintenance of, the minimum standards in all matters relating to medical education, training and research.

(3) The Council shall advise the Commission on measures to enhance equitable access to medical education.

13. *Meetings of Medical Advisory Council.*—(1) The Council shall meet at least twice a year at such time and place as may be decided by the Chairperson.

(2) The Chairperson shall preside at the meeting of the Council and if for any reason the Chairperson is unable to attend a meeting of the Council, such other member as nominated by the Chairperson shall preside over the meeting.

(3) Unless the procedure is otherwise provided by regulations, fifty per cent of the members of the Council including the Chairperson shall form the quorum and all acts of the Council shall be decided by a majority of the members present and voting.

CHAPTER IV

National Examination

14. *National Eligibility-cum-Entrance Test.*—(1) There shall be a uniform National Eligibility-cum-Entrance Test for admission to

the undergraduate and postgraduate super-speciality medical education in all medical institutions which are governed by the provisions of this Act :

Provided that the uniform National Eligibility-cum-Entrance Test for admission to the undergraduate medical education shall also be applicable to all medical institutions governed under any other law for the time being in force.

(2) The Commission shall conduct the National Eligibility-cum-Entrance Test in English and in such other languages, through such designated authority and in such manner, as may be specified by regulations.

(3) The Commission shall specify by regulations the manner of conducting common counselling by the designated authority for admission to undergraduate and postgraduate super-speciality seats in all the medical institutions which are governed by the provisions of this Act :

Provided that the designated authority of the Central Government shall conduct the common counselling for all India seats and the designated authority of the State Government shall conduct the common counselling for the seats at the State level.

15. *National Exit Test.*—(1) A common final year undergraduate medical examination, to be known as the National Exit Test shall be held for granting licence to practice medicine as medical practitioners and for enrolment in the State Register or the National Register, as the case may be.

(2) The Commission shall conduct the National Exit Test through such designated authority and in such manner as may be specified by regulations.

(3) The National Exit Test shall become operational on such date, within three years from the date of commencement of this Act, as may be appointed by the Central Government, by notification.

(4) Any person with a foreign medical qualification shall have to qualify National Exit Test for the purpose of obtaining licence to

practice medicine as medical practitioner and for enrolment in the State Register or the National Register, as the case may be, in such manner as may be specified by regulations.

(5) The National Exit Test shall be the basis for admission to the postgraduate broad-speciality medical education in medical institutions which are governed under the provisions of this Act or under any other law for the time being in force and shall be done in such manner as may be specified by regulations.

(6) The Commission shall specify by regulations the manner of conducting common counselling by the designated authority for admission to the postgraduate broad-speciality seats in the medical institutions referred to in sub-section (5) :

Provided that the designated authority of the Central Government shall conduct the common counselling for All India seats and the designated authority of the State Government shall conduct the common counselling for the seats at the State level.

CHAPTER V

Autonomous Boards

16. *Constitution of Autonomous Boards.*— (1) The Central Government shall, by notification, constitute the following Autonomous Boards, under the overall supervision of the Commission, to perform the functions assigned to such Boards under this Act, namely :—

(a) the Under-Graduate Medical Education Board ;

(b) the Post-Graduate Medical Education Board ;

(c) the Medical Assessment and Rating Board ; and

(d) the Ethics and Medical Registration Board.

(2) Each Board referred to in sub-section (1) shall be an autonomous body which shall carry out its functions under this Act subject to the regulations made by the Commission.

17. *Composition of Autonomous Boards.*—(1) Each Autonomous Board shall consist of a President and two whole-time Members and two part-time Members.

(2) The President of each Autonomous Board, three Members (including one part-time Member) of the Under-Graduate Medical Education Board and the Post-Graduate Medical Education Board, and two Members (including one part-time Member) each of the Medical Assessment and Rating Board and the Ethics and Medical Registration Board shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of medical sciences from any University and having experience of not less than fifteen years in such field, out of which at least seven years shall be as a leader in the area of medical education, public health, community medicine or health research.

(3) The third Member of the Medical Assessment and Rating Board shall be a person of outstanding ability and integrity, possessing a postgraduate degree in any of the disciplines of management, quality assurance, law or science and technology from any University, having not less than fifteen yearsô experience in such field, out of which at least seven years shall be as a leader.

(4) The third Member of the Ethics and Medical Registration Board shall be a person of outstanding ability who has demonstrated public record of work on medical ethics or a person of outstanding ability possessing a postgraduate degree in any of the disciplines of quality assurance, public health, law or patient advocacy from any University and having not less than fifteen yearsô experience in such field, out of which at least seven years shall be as a leader.

(5) The fourth Member of each Autonomous Boards, being a part-time Member, shall be chosen from amongst the elected Members of the State Medical Council in such manner as may be prescribed.

18. *Search Committee for appointment of President and Members.*—The Central Government shall appoint the President and Members of the Autonomous Boards, except Members referred to in sub-section (5) of section 17, on the recommendations made by the Search Committee constituted under section 5 in accordance with the procedure specified in that section.

19. *Term of office and conditions of service of President and Members.*—(1) The President and Members (other than part-time Members) of each Autonomous Board shall hold the office for a term

not exceeding four years and shall not be eligible for any extension or re-appointment :

Provided that part-time Members of each Autonomous Board shall hold the office for a term of two years :

Provided further that a Member shall cease to hold office after attaining the age of seventy years.

(2) The salaries and allowances payable to, and other terms and conditions of service of the President and Members (other than part-time Members) of an Autonomous Board shall be such as may be prescribed :

Provided that part-time Members of each Autonomous Board shall be entitled for such allowances as may be prescribed.

(3) The provisions of sub-sections (3), (5), (6), (7) and (8) of section 6 relating to other terms and conditions of service of, and section 7 relating to removal from the office of, the Chairperson and Members of the Commission shall also be applicable to the President and Members of the Autonomous Boards.

20. *Advisory committees of experts.*—(1) Each Autonomous Board, except the Ethics and Medical Registration Board, shall be assisted by such advisory committees of experts as may be constituted by the Commission for the efficient discharge of the functions of such Boards under this Act.

(2) The Ethics and Medical Registration Board shall be assisted by such ethics committees of experts as may be constituted by the Commission for the efficient discharge of the functions of that Board under this Act.

21. *Staff of Autonomous Boards.*—The experts, professionals, officers and other employees appointed under section 8 shall be made available to the Autonomous Boards in such number, and in such manner, as may be specified by regulations by the Commission.

22. *Meetings, etc., of Autonomous Boards.*—(1) Every Autonomous Board shall meet at least once a month at such time and place as it may appoint.

(2) All decisions of the Autonomous Boards shall be made by majority of votes of the President and Members.

(3) Subject to the provision of section 28, a person who is aggrieved by any decision of an Autonomous Board may prefer an appeal to the Commission against such decision within sixty days of the communication of such decision.

23. *Powers of Autonomous Boards and delegation of powers.*—(1) The President of each Autonomous Board shall have such administrative and financial powers as may be delegated to it by the Commission to enable such Board to function efficiently.

(2) The President of an Autonomous Board may further delegate any of his powers to a Member or an officer of that Board.

24. *Powers and functions of Under-Graduate Medical Education Board.*—(1) The Under-Graduate Medical Education Board shall perform the following functions, namely :ð

(a) determine standards of medical education at undergraduate level and oversee all aspects relating thereto ;

(b) develop competency based dynamic curriculum at undergraduate level in accordance with the regulations made under this Act ;

(c) develop competency based dynamic curriculum for addressing the needs of primary health services, community medicine and family medicine to ensure healthcare in such areas, in accordance with the provisions of the regulations made under this Act ;

(d) frame guidelines for setting up of medical institutions for imparting undergraduate courses, having regard to the needs of the country and the global norms, in accordance with the provisions of the regulations made under this Act ;

(e) determine the minimum requirements and standards for conducting courses and examinations for undergraduates in medical institutions, having regard to the needs of

creativity at local levels, including designing of some courses by individual institutions, in accordance with the provisions of the regulations made under this Act ;

(f) determine standards and norms for infrastructure, faculty and quality of education in medical institutions providing undergraduate medical education in accordance with the provisions of the regulations made under this Act ;

(g) facilitate development and training of faculty members teaching undergraduate courses ;

(h) facilitate research and the international student and faculty exchange programmes relating to undergraduate medical education ;

(i) specify norms for compulsory annual disclosures, electronically or otherwise, by medical institutions, in respect of their functions that has a bearing on the interest of all stakeholders including students, faculty, the Commission and the Central Government ;

(j) grant recognition to a medical qualification at the undergraduate level.

(2) The Under-Graduate Medical Education Board may, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.

25. *Powers and functions of Post-Graduate Medical Education Board.*—(1) The Post-Graduate Medical Education Board shall perform the following functions, namely :ð

(a) determine the standards of medical education at the postgraduate level and super-speciality level in accordance with the regulations made under this Act and oversee all aspects relating thereto ;

(b) develop competency based dynamic curriculum at postgraduate level and super-speciality level in accordance with the regulations made under this Act, with a view to develop appropriate skill, knowledge, attitude, values and

ethics among postgraduates and super-specialists to provide healthcare, impart medical education and conduct medical research ;

(c) frame guidelines for setting up of medical institutions for imparting postgraduate and super-speciality courses, having regard to the needs of the country and global norms, in accordance with the regulations made under this Act ;

(d) determine the minimum requirements and standards for conducting postgraduate and super-speciality courses and examinations in medical institution, in accordance with the regulations made under this Act ;

(e) determine standards and norms for infrastructure, faculty and quality of education in medical institutions conducting postgraduate and super-speciality medical education, in accordance with the regulations made under this Act ;

(f) facilitate development and training of the faculty members teaching postgraduate and super-speciality courses ;

(g) facilitate research and the international student and faculty exchange programmes relating to postgraduate and super-speciality medical education ;

(h) specify norms for compulsory annual disclosure, electronically or otherwise, by medical institutions in respect of their functions that has a bearing on the interest of all stakeholders including students, faculty, the Commission and the Central Government ;

(i) grant recognition to the medical qualifications at the postgraduate level and super-speciality level ;

(j) promote and facilitate postgraduate courses in family medicine.

(2) The Post-Graduate Medical Education Board may, in the discharge of its functions, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.

26. *Powers and functions of Medical Assessment and Rating Board.*—(1) The Medical Assessment and Rating Board shall perform the following functions, namely :ð

(a) determine the procedure for assessing and rating the medical institutions for their compliance with the standards laid down by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, in accordance with the regulations made under this Act ;

(b) grant permission for establishment of a new medical institution, or to start any postgraduate course or to increase number of seats, in accordance with the provisions of section 28 ;

(c) carry out inspections of medical institutions for assessing and rating such institutions in accordance with the regulations made under this Act :

Provided that the Medical Assessment and Rating Board may, if it deems necessary, hire and authorise any other third party agency or persons for carrying out inspections of medical institutions for assessing and rating such institutions :

Provided further that where inspection of medical institutions is carried out by such third party agency or persons authorised by the Medical Assessment and Rating Board, it shall be obligatory on such institutions to provide access to such agency or person ;

(d) conduct, or where it deems necessary, empanel independent rating agencies to conduct, assess and rate all medical institutions, within such period of their opening, and every year thereafter, at such time, and in such manner, as may be specified by the regulations ;

(e) make available on its website or in public domain the assessment and ratings of medical institutions at regular intervals in accordance with the regulations made under this Act ;

(f) take such measures, including issuing warning, imposition of monetary penalty, reducing intake or stoppage of admissions and recommending to the Commission for withdrawal of recognition, against a medical institution for failure to maintain the minimum essential standards specified by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, in accordance with the regulations made under this Act.

(2) The Medical Assessment and Rating Board may, in the discharge of its functions, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.

27. *Powers and functions of Ethics and Medical Registration Board.*—(1) The Ethics and Medical Registration Board shall perform the following functions, namely :ð

(a) maintain National Registers of all licensed medical practitioners in accordance with the provisions of section 31 ;

(b) regulate professional conduct and promote medical ethics in accordance with the regulations made under this Act :

Provided that the Ethics and Medical Registration Board shall ensure compliance of the code of professional and ethical conduct through the State Medical Council in a case where such State Medical Council has been conferred power to take disciplinary actions in respect of professional or ethical misconduct by medical practitioners under respective State Acts ;

(c) develop mechanisms to have continuous interaction with State Medical Councils to effectively promote and regulate the conduct of medical practitioners and professionals ;

(d) exercise appellate jurisdiction with respect to the actions taken by a State Medical Council under section 30.

(2) The Ethics and Medical Registration Board may, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it deems necessary.

28. *Permission for establishment of new medical college.*— (1) No person shall establish a new medical college or start any postgraduate course or increase number of seats without obtaining prior permission of the Medical Assessment and Rating Board.

(2) For the purposes of obtaining permission under sub-section (1), a person may submit a scheme to the Medical Assessment and Rating Board in such form, containing such particulars, accompanied by such fee, and in such manner, as may be specified by the regulations.

(3) The Medical Assessment and Rating Board shall, having due regard to the criteria specified in section 29, consider the scheme received under sub-section (2) and either approve or disapprove such scheme within a period of six months from the date of such receipt :

Provided that before disapproving such scheme, an opportunity to rectify the defects, if any, shall be given to the person concerned.

(4) Where a scheme is approved under sub-section (3), such approval shall be the permission under sub-section (1) to establish new medical college.

(5) Where a scheme is disapproved under sub-section (3), or where no decision is taken within six months of submitting a scheme under sub-section (1), the person concerned may prefer an appeal to the Commission for approval of the scheme within fifteen days of such disapproval or, as the case may be, lapse of six months, in such manner as may be specified by the regulations.

(6) The Commission shall decide the appeal received under sub-section (5) within a period of forty-five days from the date of receipt of the appeal and in case the Commission approves the scheme, such approval shall be the permission under sub-section (1) to establish a new medical college and in case the Commission disapproves the scheme, or fails to give its decision within the specified period, the person concerned may prefer a second appeal to the Central Government within thirty days of communication of such disapproval or, as the case may be, lapse of specified period.

(7) The Medical Assessment and Rating Board may conduct evaluation and assessment of any medical institution at any time, either

directly or through any other expert having integrity and experience of medical profession and without any prior notice and assess and evaluate the performance, standards and benchmarks of such medical institution.

Explanation.— For the purposes of this section, the term "person" includes a University, trust or any other association of persons or body of individuals, but does not include the Central Government.

29. *Criteria for approving or disapproving scheme.*—While approving or disapproving a scheme under section 28, the Medical Assessment and Rating Board, or the Commission, as the case may be, shall take into consideration the following criteria, namely :—

(a) adequacy of financial resources ;

(b) whether adequate academic faculty and other necessary facilities have been provided to ensure proper functioning of medical college or would be provided within the time-limit specified in the scheme ;

(c) whether adequate hospital facilities have been provided or would be provided within the time-limit specified in the scheme ;

(d) such other factors as may be prescribed :

Provided that, subject to the previous approval of the Central Government, the criteria may be relaxed for the medical colleges which are set up in such areas as may be specified by the regulations.

30. *State Medical Councils.*—(1) The State Government shall, within three years of the commencement of this Act, take necessary steps to establish a State Medical Council if no such Council exists in that State.

(2) Where a State Act confers power upon the State Medical Council to take disciplinary actions in respect of any professional or ethical misconduct by a registered medical practitioner or professional, the State Medical Council shall act in accordance with the regulations made, and the guidelines framed, under this Act :

Provided that till such time as a State Medical Council is established in a State, the Ethics and Medical Registration Board shall receive the complaints and grievances relating to any professional or ethical misconduct against a registered medical practitioner or professional in that State in accordance with such procedure as may be specified by the regulations :

Provided further that the Ethics and Medical Registration Board or, as the case may be, the State Medical Council shall give an opportunity of hearing to the medical practitioner or professional concerned before taking any action, including imposition of any monetary penalty against such person.

(3) A medical practitioner or professional who is aggrieved by any action taken by a State Medical Council under sub-section (2) may prefer an appeal to the Ethics and Medical Registration Board against such action, and the decision, if any, of the Ethics and Medical Registration Board thereupon shall be binding on the State Medical Council, unless a second appeal is preferred under sub-section (4).

(4) A medical practitioner or professional who is aggrieved by the decision of the Ethics and Medical Registration Board may prefer an appeal to the Commission within sixty days of communication of such decision.

Explanation.—For the purposes of this Act,ð

(a) ñStateò includes Union territory and the expressions òState Governmentò and ñState Medical Councilò, in relation to a Union Territory, shall respectively mean the ñCentral Governmentò and ñUnion Territory Medical Councilò ;

(b) the expression ñprofessional or ethical misconductò includes any act of commission or omission as may be specified by the regulations.

31. *National Register and State Register.*—(1) The Ethics and Medical Registration Board shall maintain a National Register containing the name, address, all recognised qualifications possessed by a licensed medical practitioner and such other particulars as may be specified by the regulations.

(2) The National Register shall be maintained in such form, including electronic form, in such manner, as may be specified by the regulations.

(3) The manner in which a name or qualification may be added to, or removed from, the National Register and the grounds for removal thereof, shall be such as may be specified by the regulations.

(4) The National Register shall be a public document within the meaning of section 74 of the Indian Evidence Act, 1872 (1 of 1872).

(5) The National Register shall be made available to the public by placing it on the website of the Ethics and Medical Registration Board.

(6) Every State Medical Council shall maintain and regularly update the State Register in the specified electronic format and supply a physical copy of the same to the Ethics and Medical Registration Board within three months of the commencement of this Act.

(7) The Ethics and Medical Registration Board shall ensure electronic synchronisation of the National Register and the State Register in such a manner that any change in one register is automatically reflected in the other register.

(8) The Ethics and Medical Registration Board shall maintain a separate National Register in such form, containing such particulars, including the name, address and all recognised qualifications possessed by a Community Health Provider referred to in section 32 in such manner as may be specified by the regulations.

32. *Community Health Provider.*—(1) The Commission may grant limited licence to practice medicine at mid-level as Community Health Provider to such person connected with modern scientific medical profession who qualify such criteria as may be specified by the regulations :

Provided that the number of limited licence to be granted under this sub-section shall not exceed one-third of the total number of licenced medical practitioners registered under sub-section (1) of section 31.

(2) The Community Health Provider who is granted limited licences under sub-section (1), may practice medicine to such extent, in such circumstances and for such period, as may be specified by the regulations.

(3) The Community Health Provider may prescribe specified medicine independently, only in primary and preventive healthcare, but in cases other than primary and preventive healthcare, he may prescribe medicine only under the supervision of medical practitioners registered under sub-section (1) of section 32.

33. *Rights of persons to have licence to practice and to be enrolled in National Register or State Register and their obligations thereto.*—(1) Any person who qualifies the National Exit Test held under section 15 shall be granted a licence to practice medicine and shall have his name and qualifications enrolled in the National Register or a State Register, as the case may be :

Provided that a person who has been registered in the Indian Medical Register maintained under the Indian Medical Council Act, 1956 (102 of 1956) prior to the coming into force of this Act and before the National Exit Test becomes operational under sub-section (3) of section 15, shall be deemed to have been registered under this Act and be enrolled in the National Register maintained under this Act.

(2) No person who has obtained medical qualification from a medical institution established in any country outside India and is recognised as a medical practitioner in that country, shall, after the commencement of this Act and the National Exit Test becomes operational under sub-section (3) of section 15, be enrolled in the National Register unless he qualifies the National Exit Test.

(3) When a person whose name is entered in the State Register or the National Register, as the case may be, obtains any title, diploma or other qualification for proficiency in sciences or public health or medicine which is a recognised medical qualification under section 35 or section 36, as the case may be, he shall be entitled to have such title, diploma or qualification entered against his name in the State Register or the National Register, as the case may be, in such manner as may be specified by the regulations.

34. *Bar to practice.*—(1) No person other than a person who is enrolled in the State Register or the National Register, as the case may be, shallð

(a) be allowed to practice medicine as a qualified medical practitioner ;

(b) hold office as a physician or surgeon or any other office, by whatever name called, which is meant to be held by a physician or surgeon ;

(c) be entitled to sign or authenticate a medical or fitness certificate or any other certificate required by any law to be signed or authenticated by a duly qualified medical practitioner ;

(d) be entitled to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872 (1 of 1872) on any matter relating to medicine :

Provided that the Commission shall submit a list of such medical professionals to the Central Government in such manner as may be prescribed :

Provided further that a foreign citizen who is enrolled in his country as a medical practitioner in accordance with the law regulating the registration of medical practitioners in that country may be permitted temporary registration in India for such period and in such manner as may be specified by the regulations.

(2) Any person who contravenes any of the provisions of this section shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to five lakh rupees or with both.

CHAPTER VI

Recognition of Medical Qualifications

35. *Recognition of medical qualifications granted by medical institutions outside India.*—(1) The medical qualification granted by any University or medical institution in India shall be listed and

maintained by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, in such manner as may be specified by the regulations and such medical qualification shall be a recognised medical qualification for the purposes of this Act.

(2) Any University or medical institution in India which grants an undergraduate or postgraduate or super-speciality medical qualification not included in the list maintained by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, may apply to that Board for granting recognition to such qualification.

(3) The Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, shall examine the application for grant of recognition to a medical qualification within a period of six months in such manner as may be specified by the regulations.

(4) Where the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, decides to grant recognition to a medical qualification, it shall include such medical qualification in the list maintained by it and also specify the date of effect of such recognition.

(5) Where the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, decides not to grant recognition to a medical qualification, the University or the medical institution concerned may prefer an appeal to the Commission for grant of recognition within sixty days of the communication of such decision, in such manner as may be specified by the regulations.

(6) The Commission shall examine the appeal received under sub-section (5) within a period of two months and if it decides that recognition may be granted to such medical qualification, it may direct the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, to include such medical qualification in the list maintained by that Board, in such manner as may be specified by the regulations.

(7) Where the Commission decides not to grant recognition to the medical qualification, or fails to take a decision within the specified period, the University or the medical institution concerned may prefer a second appeal to the Central Government within thirty days of the communication of such decision or lapse of specified period, as the case may be.

(8) All medical qualifications which have been recognised before the date of commencement of this Act and are included in the First Schedule and Part I of the Third Schedule to the Indian Medical Council Act, 1956 (102 of 1956) shall also be recognised medical qualifications for the purposes of this Act, and shall be listed and maintained by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, in such manner as may be specified by the regulations.

36. *Recognition of medical qualifications granted by medical institutions out side India.*—(1) Where an authority in any country outside India, which by the law of that country is entrusted with the recognition of medical qualifications in that country, makes an application to the Commission for granting recognition to such medical qualification in India, the Commission may, subject to such verification as it may deem necessary, either grant or refuse to grant recognition to that medical qualification :

Provided that the Commission shall give a reasonable opportunity of being heard to such authority before refusing to grant such recognition.

(2) A medical qualification which is granted recognition by the Commission under sub-section (1) shall be a recognised medical qualification for the purposes of this Act, and such qualification shall be listed and maintained by the Commission in such manner as may be specified by the regulations.

(3) Where the Commission refuses to grant recognition to the medical qualification under sub-section (1), the authority concerned may prefer an appeal to the Central Government against such decision within thirty days of communication thereof.

(4) All medical qualifications which have been recognised before the date of commencement of this Act and are included in the Second

Schedule and Part II of the Third Schedule to the Indian Medical Council Act, 1956 (102 of 1956) shall also be recognised medical qualifications for the purposes of this Act, and shall be listed and maintained by the Commission in such manner as may be specified by the regulations.

37. *Recognition of medical qualifications granted by statutory or other body in India.*—(1) The medical qualifications granted by any statutory or other body in India which are covered by the categories listed in the Schedule shall be recognised medical qualifications for the purposes of this Act.

(2) The Diplomate of National Board in broad-speciality qualifications and superspeciality qualifications when granted in a medical institution with attached hospital or in a hospital with the strength of five hundred or more beds, by the National Board of Examinations, shall be equivalent in all respects to the corresponding postgraduate qualification and the super-speciality qualification granted under this Act, but in all other cases, senior residency in a medical college for an additional period of one year shall be required for such qualification to be equivalent for the purposes of teaching also.

(3) The Central Government may, on the recommendation of the Commission, and having regard to the objects of this Act, by notification, add to, or, as the case may be, omit from, the Schedule any categories of medical qualifications granted by a statutory or other body in India and on such addition, or as the case may be, omission, the medical qualifications granted by such statutory or other body in India shall be, or shall cease to be, recognised medical qualifications for the purposes of this Act.

38. *Withdrawal of recognition granted to medical qualification granted by medical institutions in India.*—(1) Where, upon receiving a report from the Medical Assessment and Rating Board under section 26, or otherwise, if the Commission is of the opinion thatð

(a) the courses of study and examination to be undergone in, or the proficiency required from candidates at any examination held by, a University or medical institution do not conform to the standards specified by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be ; or

(b) the standards and norms for infrastructure, faculty and quality of education in medical institution as determined by the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, are not adhered to by any University or medical institution, and such University or medical institution has failed to take necessary corrective action to maintain specified minimum standards, the Commission may initiate action in accordance with the provisions of sub-section (2) :

Provided that the Commission shall, before taking any action for *suo motu* withdrawal of recognition granted to the medical qualification awarded by a University or medical institution, impose penalty in accordance with the provisions of clause (f) of sub-section (1) of section 26.

(2) The Commission shall, after making such further inquiry as it deems fit, and after holding consultations with the concerned State Government and the authority of the concerned University or medical institution, comes to the conclusion that the recognition granted to a medical qualification ought to be withdrawn, it may, by order, withdraw recognition granted to such medical qualification and direct the Under-Graduate Medical Education Board or the Post-Graduate Medical Education Board, as the case may be, to amend the entries against the University or medical institution concerned in the list maintained by that Board to the effect that the recognition granted to such medical qualification is withdrawn with effect from the date specified in that order.

39. *Derecognition of medical qualifications granted by medical institutions outside India.*—Where, after verification with the authority in any country outside India, the Commission is of the opinion that a recognised medical qualification which is included in the list maintained by it is to be derecognised, it may, by order, derecognise such medical qualification and remove it from the list maintained by the Commission with effect from the date of such order.

40. *Special provision in certain cases for recognition of medical qualifications.*—Where the Commission deems it necessary, it may, by an order published in the Official Gazette, direct that any medical qualification granted by a medical institution in a country outside

India, after such date as may be specified in that notification, shall be a recognised medical qualification for the purposes of this Act :

Provided that medical practice by a person possessing such qualification shall be permitted only if such person qualifies National Exit Test.

CHAPTER VII

Grants, Audit and Accounts

41. *Grants by Central Government.*— The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Commission grants of such sums of money as the Central Government may think fit.

42. *National Medical Commission Fund.*—(1) There shall be constituted a fund to be called ñthe National Medical Commission Fundò which shall form part of the public account of India and there shall be credited theretoð

(a) all Government grants, fees, penalties and charges received by the Commission and the Autonomous Boards ;

(b) all sums received by the Commission from such other sources as may be decided by it.

(2) The Fund shall be applied for making payment towardsð

(a) the salaries and allowances payable to the Chairperson and Members of the Commission, the Presidents and Members of the Autonomous Boards and the administrative expenses including the salaries and allowances payable to the officers and other employees of the Commission and Autonomous Boards ;

(b) the expenses incurred in carrying out the provisions of this Act, including in connection with the discharge of the functions of the Commission and the Autonomous Boards.

43. *Audit and accounts.*—(1) The Commission shall maintain proper accounts and other relevant records and prepare an annual

statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any other persons appointed by him in connection with the audit of the accounts of the Commission shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and in particular, shall have the right to demand the production of, and complete access to, records, books, accounts, connected vouchers and other documents and papers and to inspect the office of the Commission.

(4) The accounts of the Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Commission to the Central Government which shall cause the same to be laid, as soon as may be after it is received, before each House of Parliament.

44. *Furnishing of returns and reports to Central Government.*—(1) The Commission shall furnish to the Central Government, at such time, in such form and in such manner, as may be prescribed or as the Central Government may direct, such reports and statements, containing such particulars in regard to any matter under the jurisdiction of the Commission, as the Central Government may, from time to time, require.

(2) The Commission shall prepare, once every year, in such form and at such time as may be prescribed, an annual report, giving a summary of its activities during the previous year and copies of the report shall be forwarded to the Central Government.

(3) A copy of the report received under sub-section (2) shall be laid by the Central Government, as soon as may be after it is received, before each House of Parliament.

CHAPTER VIII

Miscellaneous

45. *Power of Central Government to give directions to Commission and Autonomous Boards.*—(1) Without prejudice to the foregoing provisions of this Act, the Commission and the Autonomous Boards shall, in exercise of their powers and discharge of their functions under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to them from time to time :

Provided that the Commission and the Autonomous Boards shall, as far as practicable, be given an opportunity to express their views before any direction is given under this sub-section.

(2) The decision of the Central Government whether a question is one of policy or not shall be final.

46. *Power of Central Government to give directions to State Governments.*—The Central Government may give such directions, as it may deem necessary, to a State Government for carrying out all or any of the provisions of this Act and the State Government shall comply with such directions.

47. *Information to be furnished by Commission and publication thereof.*—(1) The Commission shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as that Government may require.

(2) The Central Government may publish, in such manner as it may think fit, the reports, minutes, abstracts of accounts and other information furnished to it under sub-section (1).

48. *Obligation of universities and medical institutions.*—Every University and medical institution governed under this Act shall maintain a website at all times and display on its website all such information as may be required by the Commission or an Autonomous Board, as the case may be.

49. *Completion of courses of studies in medical institutions.*—(1) Notwithstanding anything contained in this Act, any student who

was studying for a degree, diploma or certificate in any medical institution immediately before the commencement of this Act shall continue to so study and complete his course for such degree, diploma or certificate, and such institution shall continue to provide instructions and examination for such student in accordance with the syllabus and studies as existed before such commencement, and such student shall be deemed to have completed his course of study under this Act and shall be awarded degree, diploma or certificate under this Act.

(2) Notwithstanding anything contained in this Act, where recognition granted to a medical institution has lapsed, whether by efflux of time or by its voluntary surrender or for any other reason whatsoever, such medical institution shall continue to maintain and provide the minimum standards required to be provided under this Act till such time as all candidates who are admitted in that medical institution complete their study.

50. *Joint sittings of Commission, Central Councils of Homoeopathy and Indian medicine to enhance interface between their respective systems of medicine.*—(1) There shall be a joint sitting of the Commission, the Central Council of Homoeopathy and the Central Council of Indian Medicine at least once a year, at such time and place as they mutually appoint, to enhance the interface between Homoeopathy, Indian Systems of Medicine and modern systems of medicine.

(2) The agenda for the joint sitting may be prepared with mutual agreement between the Chairpersons of the Commission, the Central Council of Homoeopathy and the Central Council of Indian Medicine or be prepared separately by each of them.

(3) The joint sitting referred to in sub-section (1) may, by an affirmative vote of all members present and voting, decide on approving specific educational modules or programmes that may be introduced in the undergraduate course and the postgraduate course across medical systems and promote medical pluralism.

51. *State Government to promote primary healthcare in rural areas.*—Every State Government may, for the purposes of addressing or promoting primary healthcare in rural area, take necessary measures to enhance the capacity of the healthcare professionals.

52 *Chairperson, Members, officers of Commission and of Autonomous Boards to be public servants.*—The Chairperson, Members, officers and other employees of the Commission and the President, Members and officers and other employees of the Autonomous Boards shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

53. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the Government, the Commission or any Autonomous Board or a State Medical Council or any Committee thereof, or any officer or other employee of the Government or of the Commission acting under this Act for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.

54. *Cognizance of offences.*—No court shall take cognizance of an offence punishable under this Act except upon a complaint in writing made in this behalf by an officer authorised by the Commission or the Ethics and Medical Registration Board or a State Medical Council, as the case may be.

55. *Power of Central Government to supersede Commission.*—(1) If, at any time, the Central Government is of opinion thatð

(a) the Commission is unable to discharge the functions and duties imposed on it by or under the provisions of this Act ; or

(b) the Commission has persistently made default in complying with any direction issued by the Central Government under this Act or in the discharge of the functions and duties imposed on it by or under the provisions of this Act, the Central Government may, by notification, supersede the Commission for such period, not exceeding six months, as may be specified in the notification :

Provided that before issuing a notification under this sub-section, the Central Government shall give a reasonable opportunity to the Commission to show cause as to why it should not be superseded and shall consider the explanations and objections, if any, of the Commission.

(2) Upon the publication of a notification under sub-section (1) superseding the Commission,ð

(a) all the Members shall, as from the date of supersession, vacate their offices as such ;

(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Commission, shall, until the Commission is re-constituted under sub-section (3), be exercised and discharged by such person or persons as the Central Government may direct ;

(c) all property owned or controlled by the Commission shall, until the Commission is re-constituted under sub-section (3), vest in the Central Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may,ð

(a) extend the period of supersession for such further term not exceeding six months, as it may consider necessary ; or

(b) re-constitute the Commission by fresh appointment and in such case the Members who vacated their offices under clause (a) of sub-section (2) shall not be deemed disqualified for appointment :

Provided that the Central Government may, at any time before the expiration of the period of supersession, whether as originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.

(4) The Central Government shall cause a notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before both Houses of Parliament at the earliest opportunity.

56. *Power to make rules.*—(1) The Central Government may, by notification, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :ð

(a) the manner of appointing six Members of the Commission on rotational basis from amongst the nominees of the States and Union territories in the Medical Advisory Council under clause (b) of sub-section (4) of section 4 ;

(b) the manner of appointing five members of the Commission under clause (c) of sub-section (4) of section 4 ;

(c) the manner of nominating one expert by the Central Government under clause (c) of sub-section (1) of section 5 ;

(d) the salary and allowances payable to, and other terms and conditions of service of the Chairperson and Members under sub-section (4) of section 6 ;

(e) the form and the manner of making declaration under sub-section (6) of section 6 ;

(f) the qualifications and experience to be possessed by the Secretary of the Commission under sub-section (2) of section 8 ;

(g) the salaries and allowances payable to, and other terms and conditions of service of the Secretary, officers and other employees of the Commission under sub-section (6) of section 8 ;

(h) the other powers and functions of the Commission under clause (j) of sub-section (1) of section 10 ;

(i) the medical qualification and experience to be possessed by a member under the second proviso to section 11 ;

(j) the manner of choosing part-time Members under sub-section (5) of section 17 ;

(k) the salary and allowances payable to, and other terms and conditions of service of the President and Members of an Autonomous Board under sub-section (2), and the allowances payable to part-time Members under the proviso thereunder, of section 19 ;

(l) the other factors under clause (d) of section 29 ;

(m) the manner of submitting a list of medical professionals under the second proviso to sub-section (1) of section 34 ;

(n) the form for preparing annual statement of accounts under sub-section (1) of section 43 ;

(o) the time within which, and the form and the manner in which, the reports and statements shall be furnished by the Commission and the particulars with regard to any matter as may be required by the Central Government under sub-section (1) of section 44 ;

(p) the form and the time for preparing annual report under sub-section (2) of section 44 ;

(q) any other matter in respect of which provision is to be made by rules.

57. *Power to make regulations.*—(1) The Commission may, after previous publication, by notification, make regulations consistent with this Act and the rules made thereunder to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely :ð

(a) the functions to be discharged by the Secretary of the Commission under sub-section (4) of section 8 ;

(b) the procedure in accordance with which experts and professionals may be engaged and the number of such experts and professionals under sub-section (7) of section 8 ;

(c) the procedure to be followed at the meetings of Commission, including the quorum at its meetings under sub-section (3) of section 9 ;

(d) the quality and standards to be maintained in medical education under clause (a) of sub-section (1) of section 10 ;

(e) the manner of regulating medical institutions, medical researches and medical professionals under clause (b) of sub-section (1) of section 10 ;

(f) the manner of functioning of the Commission, the Autonomous Boards and the State Medical Councils under clause (d) of sub-section (1) of section 10 ;

(g) the procedure to be followed at the meetings of the Medical Advisory Council, including the quorum at its meetings under sub-section (3) of section 13 ;

(h) the other languages in which and the manner in which the National Eligibility-cum-Entrance Test shall be conducted under sub-section (2) of section 14 ;

(i) the manner of conducting common counselling by the designated authority for admission to the undergraduate and postgraduate super-speciality medical education under sub-section (3) of section 14 ;

(j) the designated authority, and the manner for conducting the National Exit Test under sub-section (2) of section 15 ;

(k) the manner in which a person with foreign medical qualification shall qualify National Exit Test under sub-section (4) of section 15 ;

(l) the manner in which admission to the postgraduate broad-speciality medical education shall be made on the basis of National Exit Test under sub-section (5) of section 15 ;

(m) the manner of conducting common counselling by the designated authority for admission to the postgraduate

broad-speciality medical education under sub-section (6) of section 15 ;

(n) the number of, and the manner in which, the experts, professionals, officers and other employees shall be made available by the Commission to the Autonomous Boards under section 21 ;

(o) the curriculum at undergraduate level under clause (b) of sub-section (1) of section 24 ;

(p) the curriculum for primary medicine, community medicine and family medicine under clause (c) of sub-section (1) of section 24 ;

(q) the manner of imparting undergraduate courses by medical institutions under clause (d) of sub-section (1) of section 24 ;

(r) the minimum requirements and standards for conducting courses and examinations for undergraduates in medical institutions under clause (e) of sub-section (1) of section 24 ;

(s) the standards and norms for infrastructure, faculty and quality of education at undergraduate level in medical institutions under clause (f) of sub-section (1) of section 24 ;

(t) the standards of medical education at the postgraduate level and superspeciality level under clause (a) of sub-section (1) of section 25 ;

(u) the curriculum at postgraduate level and super-speciality level under clause (b) of sub-section (1) of section 25 ;

(v) the manner of imparting postgraduate and super-speciality courses by medical institutions under clause (c) of sub-section (1) of section 25 ;

(w) the minimum requirements and standards for conducting postgraduate and super-speciality courses and examinations

in medical institutions under clause (d) of sub-section (1) of section 25 ;

(x) the standards and norms for infrastructure, faculty and quality of education in medical institutions conducting postgraduate and super-speciality medical education under clause (e) of sub-section (1) of section 25 ;

(y) the procedure for assessing and rating the medical institutions under clause (a) of sub-section (1) of section 26 ;

(z) the manner of carrying out inspections of medical institutions for assessing and rating such institutions under clause (c) of sub-section (1) of section 26 ;

(za) the manner of conducting, and the manner of empanelling independent rating agencies to conduct, assessment and rating of medical institutions under clause (d) of sub-section (1) of section 26 ;

(zb) the manner of making available on website or in public domain the assessment and ratings of medical institutions under clause (e) of sub-section (1) of section 26 ;

(zc) the measures to be taken against a medical institution for its failure to maintain the minimum essential standards under clause (f) of sub-section (1) of section 26 ;

(zd) the manner of regulating professional conduct and promoting medical ethics under clause (b) of sub-section (1) of section 27 ;

(ze) the form of scheme, the particulars thereof, the fee to be accompanied and the manner of submitting scheme for establishing a new medical college or for starting any postgraduate course or for increasing number of seats under sub-section (2) of section 28 ;

(zf) the manner of making an appeal to the Commission for approval of the scheme under sub-section (5) of section 28 ;

(zg) the areas in respect of which criteria may be relaxed under the proviso to section 29 ;

(zh) the manner of taking disciplinary action by a State Medical Council for professional or ethical misconduct of registered medical practitioner or professional and the procedure for receiving complaints and grievances by Ethics and Medical Registration Board, under sub-section (2) of section 30 ;

(zi) the act of commission or omission which amounts to professional or ethical misconduct under clause (b) of the Explanation to section 30 ;

(zj) other particulars to be contained in a National Register under sub-section (1) of section 31 ;

(zk) the form, including the electronic form and the manner of maintaining the National Register under sub-section (2) of section 31 ;

(zl) the manner in which any name or qualification may be added to, or removed from, the National Register and the grounds for removal thereof, under sub-section (3) of section 31 ;

(zm) the form and manner in which the National Register for registering Community Health Provider is to be maintained under sub-section (8) of section 31 ;

(zn) the criteria for granting limited licence to practice medicine under sub-section (1) of section 32 ;

(zo) the extent, the circumstances and the period under sub-section (2) of section 32 ;

(zp) the manner of listing and maintaining medical qualifications granted by a University or medical institution in India under sub-section (1) of section 35 ;

(zq) the manner of examining the application for grant of recognition under sub-section (3) of section 35 ;

(zr) the manner of preferring an appeal to the Commission for grant of recognition under sub-section (5) of section 35 ;

(zs) the manner of including a medical qualification in the list maintained by the Board under sub-section (6) of section 35 ;

(zt) the manner of listing and maintaining medical qualifications which have been granted recognition before the date of commencement of this Act under sub-section (8) of section 35.

58. *Rules and regulations to be laid before Parliament.*—Every rule and every regulation made, and every notification issued, under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or notification ; both Houses agree that the rule or regulation or notification should not be made, the rule or regulation or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notification.

59. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary, for removing the difficulty :

Provided that no order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

60. *Repeal and saving.*—(1) With effect from such date as the Central Government may appoint in this behalf, the Indian Medical

Council Act, 1956 (102 of 1956) shall stand repealed and the Medical Council of India constituted under sub-section (1) of section 3 of the said Act shall stand dissolved.

(2) Notwithstanding the repeal of the Act referred to in sub-section (1), it shall not affect,ð

(a) the previous operation of the Act so repealed or anything duly done or suffered thereunder ; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed ; or

(c) any penalty incurred in respect of any contravention under the Act so repealed ; or

(d) any proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty as aforesaid, and any such proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed as if that Act had not been repealed.

(3) On the dissolution of the Medical Council of India, the person appointed as the Chairman of the Medical Council of India and every other person appointed as the Member and any officer and other employee of that Council and holding office as such immediately before such dissolution shall vacate their respective offices and such Chairman and other Members shall be entitled to claim compensation not exceeding three months' pay and allowances for the premature termination of term of their office or of any contract of service :

Provided that any officer or other employee who has been, immediately before the dissolution of the Medical Council of India appointed on deputation basis to the Medical Council of India, shall, on such dissolution, stand reverted to his parent cadre, Ministry or Department, as the case may be :

Provided further that any officer or other employee who has been, immediately before the dissolution of the Medical Council of India, employed on regular or contractual basis by the Medical Council of India, shall, on and from such dissolution, cease to be the officer

or employee of the Medical Council of India and his employment in the Medical Council of India stand terminated with immediate effect :

Provided also that such officer or employee of the Medical Council of India shall be entitled to such compensation for the premature termination of his employment, which shall not be less than three months' pay and allowances, as may be prescribed.

(4) Notwithstanding the repeal of the aforesaid enactment, any order made, any licence to practice issued, any registration made, any permission to start new medical college or to start higher course of studies or for increase in the admission capacity granted, any recognition of medical qualifications granted, under the Indian Medical Council Act, 1956 (102 of 1956) which are in force as on the date of commencement of this Act, shall continue to be in force till the date of their expiry for all purposes, as if they had been issued or granted under the provisions of this Act or the rules or regulations made thereunder.

61. *Transitory provisions*.—(1) The Commission shall be the successor in interest to the Medical Council of India including its subsidiaries or owned trusts and all the assets and liabilities of the Medical Council of India shall be deemed to have been transferred to the Commission.

(2) Notwithstanding the repeal of the Indian Medical Council Act, 1956 (102 of 1956) the educational standards, requirements and other provisions of the Indian Medical Council Act, 1956 (102 of 1956) and the rules and regulations made thereunder shall continue to be in force and operate till new standards or requirements are specified under this Act or the rules and regulations made thereunder :

Provided that anything done or any action taken as regards the educational standards and requirements under the enactment under repeal and the rules and regulations made thereunder shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue in force accordingly unless and until superseded by anything done or by any action taken under this Act.

THE SCHEDULE

[See section 37]

LIST OF CATEGORIES OF MEDICAL QUALIFICATIONS GRANTED BY STATUTORY BODY OR OTHER BODY IN INDIA

Sl. No.	Categories of medical qualifications
1.	All medical qualifications granted by the Jawaharlal Institute of Postgraduate Medical Education and Research, Puducherry.
2.	All medical qualifications granted by All India Institutes of Medical Sciences.
3.	All medical qualifications granted by the Postgraduate Institute of Medical Education and Research, Chandigarh.
4.	All medical qualifications granted by the National Institute of Mental Health and Neuro-Sciences, Bangalore.
5.	All medical qualifications granted by the National Board of Examination.

EXTRAORDINARY REGD. NO. JKð 33

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Separate paging is given to this part in order that it may be filed as a separate compilation.

PART IV

Reprints from the Government of India Gazette.

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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 9th August, 2019/Shravana 18, 1941 (Saka.)

The following Act of Parliament received the assent of the President on the 9th August, 2019, and is hereby published for general information :ð

THE ARBITRATION AND CONCILIATION (AMENDMENT) ACT, 2019

(No. 33 of 2019)

[9th August, 2019.]

An Act further to amend the Arbitration and Conciliation Act, 1996.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ð

1. *Short title and commencement.*ð (1) This Act may be called the Arbitration and Conciliation (Amendment) Act, 2019.

(2) Save as otherwise provided in this Act, it shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. *Amendment of section 2.*—In the Arbitration and Conciliation Act, 1996 (26 of 1996) (hereinafter referred to as the principal Act), in section 2,ð

(i) in sub-section (1),ï ï

(A) after clause (c), the following clause shall be inserted, namely :ï ï

ó(ca) ñarbitral institutionõ means an arbitral institution designated by the Supreme Court or a High Court under this Act ;ô ;

(B) after clause (h), the following clauses shall be inserted, namely : ï ï

ó(i) ñprescribedò means prescribed by rules made under this Act ;

(j) ñregulationsò means the regulations made by the Council under this Act.ô ;

(ii) in sub-section (2), in the proviso, for the word, brackets and letter ñclause (a)ò, the word, brackets and letter ñclause (b)ò shall be substituted.

3. *Amendment of section 11*—In section 11 of the principal Act,ð

(i) after sub-section (3), the following sub-section shall be inserted, namely :ð

ñ(3A) The Supreme Court and the High Court shall have the power to designate, arbitral institutions, from time to time, which have been graded by the Council under section 43-I, for the purposes of this Act :

Provided that in respect of those High Court jurisdictions, where no graded arbitral institution are available, then, the Chief Justice of the concerned High Court may maintain a panel of arbitrators for discharging the functions and duties of arbitral institution and any reference to the arbitrator shall be deemed to be an arbitral institution for the purposes of this section and the arbitrator appointed by a party shall be entitled to such fee at the rate as specified in the Fourth Schedule :

Provided further that the Chief Justice of the concerned High Court may, from time to time, review the panel of arbitrators.ò ;

(ii) in sub-section (4), in the long line, for the portion beginning with ñthe appointment shall be madeò and ending with őődesignated by such Courtò, the following shall be substituted, namely :ï ï

ñthe appointment shall be made, on an application of the party, by the arbitral institution designated by the Supreme Court, in case of international commercial arbitration, or by the High Court, in case of arbitrations other than international commercial arbitration, as the case may beò ;

(iii) in sub-section (5), for the portion beginning with őőthe appointment shall be madeò and ending with őődesignated by such Courtò, the following shall be substituted, namely :ï ï

ñthe appointment shall be made on an application of the party in accordance with the provisions contained in sub-section (4)ò ;

(iv) in sub-section (6), in the long line, for the portion begining with őőparty may requestò and ending with őődesignated by such Courtò, the following shall be substituted, namely :ð

ñthe appointment shall be made, on an application of the party, by the arbitral institution designated by the Supreme Court, in case of international commercial arbitration, or by the High Court, in case of arbitrations other than international commercial arbitration, as the case may beò ;

(v) sub-sections (6A) and (7) shall be omitted ;

(vi) in sub-section (8), for the words ñThe Supreme Court or, as the case may be, the High Court or the person or institution designated by such Courtò, the words, brackets and figures ñThe arbitral institution referred to in sub-sections (4), (5) and (6)ò shall be substituted ;

(vii) in sub-section (9), for the words ñthe Supreme Court or the person or institution designated by that Courtò, the words ñthe arbitral institution designated by the Supreme Courtò shall be substituted ;

(viii) sub-section (10) shall be omitted ;

(ix) for sub-sections (11) to (14), the following sub-sections shall be substituted, namely :ð

ñ(11) Where more than one request has been made under sub-section (4) or sub-section (5) or sub-section (6) to different arbitral institutions, the arbitral institution to which the request has been first made under the relevant sub-section shall be competent to appoint.

(12) Where the matter referred to in sub-sections (4), (5), (6) and (8) arise in an international commercial arbitration or any other arbitration, the reference to the arbitral institution in those sub-sections shall be construed as a reference to the arbitral institution designated under sub-section (3A).

(13) An application made under this section for appointment of an arbitrator or arbitrators shall be disposed of by the arbitral institution within a period of thirty days from the date of service of notice on the opposite party.

(14) The arbitral institution shall determine the fees of the arbitral tribunal and the manner of its payment to the arbitral tribunal subject to the rates specified in the Fourth Schedule.

*Explanation.*ð For the removal of doubts, it is hereby clarified that this sub-section shall not apply to international commercial arbitration and in arbitrations (other than international commercial arbitration) where parties have agreed for determination of fees as per the rules of an arbitral institution.ò.

4. *Amendment of section 17.*—In section 17 of the principal Act, in sub-section (1), the words and figures ñor at any time after the making of the arbitral award but before it is enforced in accordance with section 36ò shall be omitted.

5. *Amendment of section 23.*—In section 23 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely :ï ï

ñ(4) The statement of claim and defence under this section shall be completed within a period of six months from the date the arbitrator or all the arbitrators, as the case may be, received notice, in writing, of their appointment.ò.

6. *Amendment of section 29A.*—In section 29A of the principal Act,ð

(a) for sub-section (1), the following sub-section shall be substituted, namely :ð

ñ(1) The award in matters other than international commercial arbitration shall be made by the arbitral tribunal within a period of twelve months from the date of completion of pleadings under sub-section (4) of section 23 :

Provided that the award in the matter of international commercial arbitration may be made as expeditiously as possible and endeavour may be made to dispose of the matter within a period of twelve months from the date of completion of pleadings under sub-section (4) of section 23.ò

(b) in sub-section (4), after the proviso, the following provisos shall be inserted, namely :ï ï

ñProvided further that where an application under sub-section (5) is pending, the mandate of the arbitrator shall continue till the disposal of the said application :

Provided also that the arbitrator shall be given an opportunity of being heard before the fees is reduced.ò.

7. *Amendment of section 34.*—In section 34 of the principal Act, in sub-section (2), in clause (a), for the words ñfurnishes proof thatò, the words ñestablishes on the basis of the record of the arbitral tribunal thatò shall be substituted.

8. *Amendment of section 37.*—In section 37 of the principal Act, in sub-section (1), for the words ñAn appealò, the words ñNotwithstanding anything contained in any other law for the time being in force, an appealò shall be substituted.

9. *Insertion of new sections 42A and 42B.*—After section 42 of the principal Act, the following sections shall be inserted, namely :ð

ñ42A. *Confidentiality of information.*—Notwithstanding anything contained in any other law for the time being in force, the arbitrator, the arbitral institution and the parties to the arbitration agreement shall maintain confidentiality of all arbitral proceedings except award where its disclosure is necessary for the purpose of implementation and enforcement of award.

42B. *Protection of action taken in good faith.*—No suit or other legal proceedings shall lie against the arbitrator for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.ò.

10. *Insertion of new Part.*—After Part I of the principal Act, the following Part shall be inserted, namely :ï ï

óPART IA

Arbitration Council of India

43A. *Definitions.*—In this Part, unless the context otherwise requires,ð

(a) ñChairpersonò means the Chairperson of the Arbitration Council of India appointed under clause (a) of sub-section (1) of section 43C ;

(b) ñCouncilò means the Arbitration Council of India established under section 43B ;

(c) ñMemberò means a Member of the Council and includes the Chairperson.

43B. *Establishment and incorporation of Arbitration Council of India.*—(1) The Central Government shall, by notification in the Official Gazette, establish, for the purposes of this Act, a Council to be known as the Arbitration Council of India to perform the duties and discharge the functions under this Act.

(2) The Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to enter into contract, and shall, by the said name, sue or be sued.

(3) The head office of the Council shall be at Delhi.

(4) The Council may, with the prior approval of the Central Government, establish offices at other places in India.

43C. *Composition of Council.*—(1) The Council shall consist of the following Members, namely :ï ï

(a) a person, who has been, a Judge of the Supreme Court or, Chief Justice of a High Court or, a Judge of a High Court or an eminent person, having special knowledge and experience in the conduct or administration of arbitration, to be appointed by the Central Government in consultation with the Chief Justice of Indiaï Chairperson ;

(b) an eminent arbitration practitioner having substantial knowledge and experience in institutional arbitration, both domestic and international, to be nominated by the Central Governmentï Member ;

(c) an eminent academician having experience in research and teaching in the field of arbitration and alternative dispute resolution laws, to be appointed by the Central Government in consultation with the Chairpersonï Member ;

(d) Secretary to the Government of India in the Department of Legal Affairs, Ministry of Law and Justice or his representative not below the rank of Joint Secretaryï Member, *ex officio* ;

(e) Secretary to the Government of India in the Department of Expenditure, Ministry of Finance or his representative not below the rank of Joint Secretaryï Member, *ex officio* ;

(f) one representative of a recognised body of commerce and industry, chosen on rotational basis by the Central Governmentï Part-time Member ; and

(g) Chief Executive Officer-Member-Secretary, *ex officio*.

(2) The Chairperson and Members of the Council, other than *ex officio* Members, shall hold office as such, for a term of three years from the date on which they enter upon their office :

Provided that no Chairperson or Member, other than *ex officio* Member, shall hold office as such after he has attained the age of seventy years in the case of Chairperson and sixty-seven years in the case of Member.

(3) The salaries, allowances and other terms and conditions of the Chairperson and Members referred to in clauses (b) and (c) of sub-section (1) shall be such as may be prescribed by the Central Government.

(4) The Part-time Member shall be entitled to such travelling and other allowances as may be prescribed by the Central Government.

43D. *Duties and functions of Council.*—(1) It shall be the duty of the Council to take all such measures as may be necessary to promote and encourage arbitration, mediation, conciliation or other alternative dispute resolution mechanism and for that purpose to frame policy and guidelines for the establishment, operation and maintenance of uniform professional standards in respect of all matters relating to arbitration.

(2) For the purposes of performing the duties and discharging the functions under this Act, the Council mayð

(a) frame policies governing the grading of arbitral institutions ;

(b) recognise professional institutes providing accreditation of arbitrators ;

(c) review the grading of arbitral institutions and arbitrators ;

(d) hold training, workshops and courses in the area of arbitration in collaboration of law firms, law universities and arbitral institutes ;

(e) frame, review and update norms to ensure satisfactory level of arbitration and conciliation ;

(f) act as a forum for exchange of views and techniques to be adopted for creating a platform to make India a robust centre for domestic and international arbitration and conciliation ;

(g) make recommendations to the Central Government on various measures to be adopted to make provision for easy resolution of commercial disputes ;

(h) promote institutional arbitration by strengthening arbitral institutions ;

(i) conduct examination and training on various subjects relating to arbitration and conciliation and award certificates thereof ;

(j) establish and maintain depository of arbitral awards made in India ;

(k) make recommendations regarding personnel, training and infrastructure of arbitral institutions ; and

(l) such other functions as may be decided by the Central Government.

43E. *Vacancies, etc., not to invalidate proceedings of Council.*—No act or proceeding of the Council shall be invalid merely by reason ofð

(a) any vacancy or any defect, in the constitution of the Council ;

(b) any defect in the appointment of a person acting as a Member of the Council ; or

(c) any irregularity in the procedure of the Council not affecting the merits of the case.

43F. *Resignation of Members.*—The Chairperson or the Full-time or Part-time Member may, by notice in writing, under his hand addressed to the Central Government, resign his office :

Provided that the Chairperson or the Full-time Member shall, unless he is permitted by the Central Government to relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is earlier.

43G. *Removal of Member.*—(1) The Central Government may, remove a Member from his office if heï ï

(a) is an undischarged insolvent ; or

(b) has engaged at any time (except Part-time Member), during his term of office, in any paid employment ; or\

(c) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude ; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Member ; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest ; or

(f) has become physically or mentally incapable of acting as a Member.

(2) Notwithstanding anything contained in sub-section (1), no Member shall be removed from his office on the grounds specified in clauses (d) and (e) of that sub-section unless the Supreme Court, on a reference being made to it in this behalf by the Central Government, has, on an inquiry, held by it in accordance with such procedure as may be prescribed in this behalf by the Supreme Court, reported that the Member, ought on such ground or grounds to be removed.

43H. *Appointment of experts and constitution of Committees thereof.*—The Council may, appoint such experts and constitute such Committees of experts as it may consider necessary to discharge its functions on such terms and conditions as may be specified by the regulations.

43-I. *General norms for grading of arbitral institutions.*—The Council shall make grading of arbitral institutions on the basis of criteria relating to infrastructure, quality and calibre of arbitrators, performance and compliance of time limits for disposal of domestic or international commercial arbitrations, in such manner as may be specified by the regulations.

43J. *Norms for accreditation.*—The qualifications, experience and norms for accreditation of arbitrators shall be such as specified in the Eighth Schedule :

Provided that the Central Government may, after consultation with the Council, by notification in the Official Gazette, amend the Eighth Schedule and thereupon, the Eighth Schedule shall be deemed to have been amended accordingly.

43K. *Depository of awards.*—The Council shall maintain an electronic depository of arbitral awards made in India and such other records related thereto in such manner as may be specified by the regulations.

43L. *Power to make regulations by Council.*—The Council may, in consultation with the Central Government, make regulations, consistent with the provisions of this Act and the rules made thereunder, for the discharge of its functions and perform its duties under this Act.

43M. *Chief Executive Officer.*—(1) There shall be a Chief Executive Officer of the Council, who shall be responsible for day-to-day administration of the Council.

(2) The qualifications, appointment and other terms and conditions of the service of the Chief Executive Officer shall be such as may be prescribed by the Central Government.

(3) The Chief Executive Officer shall discharge such functions and perform such duties as may be specified by the regulations.

(4) There shall be a Secretariat to the Council consisting of such number of officers and employees as may be prescribed by the Central Government.

(5) The qualifications, appointment and other terms and conditions of the service of the employees and other officers of the Council shall be such as may be prescribed by the Central Government.ô

11. *Amendment of section 45.*—In section 45 of the principal Act, for the words ñunless it findsò, the words ñunless it *prima facie* findsò, shall be substituted.

12. *Amendment of section 50.*—In section 50 of the principal Act, in sub-section (1), for the words ñAn appealò, the words ñNotwithstanding anything contained in any other law for the time being in force, an appealò shall be substituted.

13. *Insertion of new section 87.*—After section 86 of the principal Act, the following section shall be inserted and shall be deemed to have been inserted with effect from the 23rd October, 2015, namely :ð

> ñ87. *Effect of arbitral and related court proceedings commenced prior to 23rd October, 2015.*—Unless the parties otherwise agree, the amendments made to this Act by the Arbitration and Conciliation (Amendment) Act, 2015 (3 of 2016) shallð
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> (a) not apply toï ï
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> (i) arbitral proceedings commenced before the commencement of the Arbitration and Conciliation (Amendment) Act, 2015 (3 of 2016) ;

(ii) court proceedings arising out of or in relation to such arbitral proceedings irrespective of whether such court proceedings are commenced prior to or after the commencement of the Arbitration and Conciliation (Amendment) Act, 2015 (3 of 2016) ;

(b) apply only to arbitral proceedings commenced on or after the commencement of the Arbitration and Conciliation (Amendment) Act, 2015 (3 of 2016) and to court proceedings arising out of or in relation to such arbitral proceedings.ò.

14. *Insertion of new Schedule.*—After the Seventh Schedule to the principal Act, the following Schedule shall be inserted, namely :ð

óEIGHTH SCHEDULE

(See section 43J)

Qualifications and Experience of Arbitrator

A person shall not be qualified to be an arbitrator unless heð

(i) is an advocate within the meaning of the Advocates Act, 1961 (25 of 1961) having ten years of practice experience as an advocate ; or

(ii) is a chartered accountant within the meaning of the Chartered Accountants Act, 1949 (38 of 1949) having ten years of practice experience as a chartered accountant ; or

(iii) is a cost accountant within the meaning of the Cost and Works Accountants Act, 1959 (23 of 1959) having ten years of practice experience as a cost accountant ; or

(iv) is a company secretary within the meaning of the Company Secretaries Act, 1980 (56 of 1980) having ten years of practice experience as a company secretary ; or

(v) has been an officer of the Indian Legal Service ;

(vi) has been an officer with law degree having ten years of experience in the legal matters in the Government,

Autonomous Body, Public Sector Undertaking or at a senior level managerial position in private sector ; or

(vii) has been an officer with engineering degree having ten years of experience as an engineer in the Government, Autonomous Body, Public Sector Undertaking or at a senior level managerial position in private sector or self-employed ; or

(viii) has been an officer having senior level experience of administration in the Central Government or State Government or having experience of senior level management of a Public Sector Undertaking or a Government company or a private company of repute ;

(ix) is a person, in any other case, having educational qualification at degree level with ten years of experience in scientific or technical stream in the fields of telecom, information technology, Intellectual Property Rights or other specialised areas in the Government, Autonomous Body, Public Sector Undertaking or a senior level managerial position in a private sector, as the case may be.

General norms applicable to Arbitrator

(i) The arbitrator shall be a person of general reputation of fairness, integrity and capable to apply objectivity in arriving at settlement of disputes ;

(ii) the arbitrator must be impartial and neutral and avoid entering into any financial business or other relationship that is likely to affect impartiality or might reasonably create an appearance of partiality or bias amongst the parties ;

(iii) the arbitrator should not involve in any legal proceeding and avoid any potential conflict connected with any dispute to be arbitrated by him ;

(iv) the arbitrator should not have been convicted of an offence involving moral turpitude or economic offence ;

(v) the arbitrator shall be conversant with the Constitution of India, principles of natural justice, equity, common and

customary laws, commercial laws, labour laws, law of torts, making and enforcing the arbitral awards ;

(vi) the arbitrator should possess robust understanding of the domestic and international legal system on arbitration and international best practices in regard thereto ;

(vii) the arbitrator should be able to understand key elements of contractual obligations in civil and commercial disputes and be able to apply legal principles to a situation under dispute and also to apply judicial decisions on a given matter relating to arbitration ; and

(viii) the arbitrator should be capable of suggesting, recommending or writing a reasoned and enforceable arbitral award in any dispute which comes before him for adjudication.ö.

15. *Amendment to Act 3 of 2016.*—Section 26 of the Arbitration and Conciliation (Amendment) Act, 2015 shall be omitted and shall be deemed to have been omitted with effect from the 23rd October, 2015.

16. *Amendment to Fourth Schedule.*—In the Fourth Schedule to the principal Act, for the brackets, words and figures ñ[See section 11 (14)]ò, the brackets, words, figures and letter ñ[See section 11 (3A)]ò shall be substituted.